

**[COMMITTEE PRINT]**

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**NOTICE: This bill is a draft for use of the Committee and its Staff only, in preparation for markup.**

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**Calendar No. 000**115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**S. 0000****[Report No. 115–000]**

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

\_\_\_\_\_, 2017

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

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**A BILL**

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That the following sums are appropriated, out of any

1 money in the Treasury not otherwise appropriated, for the  
2 Department of Defense for the fiscal year ending Sep-  
3 tember 30, 2018, and for other purposes, namely:

4 TITLE I

5 MILITARY PERSONNEL

6 MILITARY PERSONNEL, ARMY

7 For pay, allowances, individual clothing, subsistence,  
8 interest on deposits, gratuities, permanent change of sta-  
9 tion travel (including all expenses thereof for organiza-  
10 tional movements), and expenses of temporary duty travel  
11 between permanent duty stations, for members of the  
12 Army on active duty (except members of reserve compo-  
13 nents provided for elsewhere), cadets, and aviation cadets;  
14 for members of the Reserve Officers' Training Corps; and  
15 for payments pursuant to section 156 of Public Law 97-  
16 377, as amended (42 U.S.C. 402 note), and to the Depart-  
17 ment of Defense Military Retirement Fund,  
18 \$41,919,855,000.

19 MILITARY PERSONNEL, NAVY

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

1 vided for elsewhere), midshipmen, and aviation cadets; for  
2 members of the Reserve Officers' Training Corps; and for  
3 payments pursuant to section 156 of Public Law 97–377,  
4 as amended (42 U.S.C. 402 note), and to the Department  
5 of Defense Military Retirement Fund, \$28,756,535,000.

6           MILITARY PERSONNEL, MARINE CORPS

7           For pay, allowances, individual clothing, subsistence,  
8 interest on deposits, gratuities, permanent change of sta-  
9 tion travel (including all expenses thereof for organiza-  
10 tional movements), and expenses of temporary duty travel  
11 between permanent duty stations, for members of the Ma-  
12 rine Corps on active duty (except members of the Reserve  
13 provided for elsewhere); and for payments pursuant to sec-  
14 tion 156 of Public Law 97–377, as amended (42 U.S.C.  
15 402 note), and to the Department of Defense Military Re-  
16 tirement Fund, \$13,226,114,000.

17           MILITARY PERSONNEL, AIR FORCE

18           For pay, allowances, individual clothing, subsistence,  
19 interest on deposits, gratuities, permanent change of sta-  
20 tion travel (including all expenses thereof for organiza-  
21 tional movements), and expenses of temporary duty travel  
22 between permanent duty stations, for members of the Air  
23 Force on active duty (except members of reserve compo-  
24 nents provided for elsewhere), cadets, and aviation cadets;  
25 for members of the Reserve Officers' Training Corps; and

1 for payments pursuant to section 156 of Public Law 97–  
2 377, as amended (42 U.S.C. 402 note), and to the Depart-  
3 ment of Defense Military Retirement Fund,  
4 \$28,807,440,000.

5 RESERVE PERSONNEL, ARMY

6 For pay, allowances, clothing, subsistence, gratuities,  
7 travel, and related expenses for personnel of the Army Re-  
8 serve on active duty under sections 10211, 10302, and  
9 3038 of title 10, United States Code, or while serving on  
10 active duty under section 12301(d) of title 10, United  
11 States Code, in connection with performing duty specified  
12 in section 12310(a) of title 10, United States Code, or  
13 while undergoing reserve training, or while performing  
14 drills or equivalent duty or other duty, and expenses au-  
15 thorized by section 16131 of title 10, United States Code;  
16 and for payments to the Department of Defense Military  
17 Retirement Fund, \$4,720,608,000.

18 RESERVE PERSONNEL, NAVY

19 For pay, allowances, clothing, subsistence, gratuities,  
20 travel, and related expenses for personnel of the Navy Re-  
21 serve on active duty under section 10211 of title 10,  
22 United States Code, or while serving on active duty under  
23 section 12301(d) of title 10, United States Code, in con-  
24 nection with performing duty specified in section 12310(a)  
25 of title 10, United States Code, or while undergoing re-

1 serve training, or while performing drills or equivalent  
2 duty, and expenses authorized by section 16131 of title  
3 10, United States Code; and for payments to the Depart-  
4 ment of Defense Military Retirement Fund,  
5 \$1,984,672,000.

6           RESERVE PERSONNEL, MARINE CORPS

7       For pay, allowances, clothing, subsistence, gratuities,  
8 travel, and related expenses for personnel of the Marine  
9 Corps Reserve on active duty under section 10211 of title  
10 10, United States Code, or while serving on active duty  
11 under section 12301(d) of title 10, United States Code,  
12 in connection with performing duty specified in section  
13 12310(a) of title 10, United States Code, or while under-  
14 going reserve training, or while performing drills or equiv-  
15 alent duty, and for members of the Marine Corps platoon  
16 leaders class, and expenses authorized by section 16131  
17 of title 10, United States Code; and for payments to the  
18 Department of Defense Military Retirement Fund,  
19 \$767,903,000.

20           RESERVE PERSONNEL, AIR FORCE

21       For pay, allowances, clothing, subsistence, gratuities,  
22 travel, and related expenses for personnel of the Air Force  
23 Reserve on active duty under sections 10211, 10305, and  
24 8038 of title 10, United States Code, or while serving on  
25 active duty under section 12301(d) of title 10, 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 reserve training, or while performing  
4 drills or equivalent duty or other duty, and expenses au-  
5 thorized by section 16131 of title 10, United States Code;  
6 and for payments to the Department of Defense Military  
7 Retirement Fund, \$1,802,554,000.

8 NATIONAL GUARD PERSONNEL, ARMY

9 For pay, allowances, clothing, subsistence, gratuities,  
10 travel, and related expenses for personnel of the Army Na-  
11 tional Guard while on duty under sections 10211, 10302,  
12 or 12402 of title 10 or section 708 of title 32, United  
13 States Code, or while serving on duty under section  
14 12301(d) of title 10 or section 502(f) of title 32, United  
15 States Code, in connection with performing duty specified  
16 in section 12310(a) of title 10, United States Code, or  
17 while undergoing training, or while performing drills or  
18 equivalent duty or other duty, and expenses authorized by  
19 section 16131 of title 10, United States Code; and for pay-  
20 ments to the Department of Defense Military Retirement  
21 Fund, \$8,240,036,000.

22 NATIONAL GUARD PERSONNEL, AIR FORCE

23 For pay, allowances, clothing, subsistence, gratuities,  
24 travel, and related expenses for personnel of the Air Na-  
25 tional Guard on duty under sections 10211, 10305, or

1 12402 of title 10 or section 708 of title 32, United States  
2 Code, or while serving on duty under section 12301(d) of  
3 title 10 or section 502(f) of title 32, United States Code,  
4 in connection with performing duty specified in section  
5 12310(a) of title 10, United States Code, or while under-  
6 going training, or while performing drills or equivalent  
7 duty or other duty, and expenses authorized by section  
8 16131 of title 10, United States Code; and for payments  
9 to the Department of Defense Military Retirement Fund,  
10 \$3,406,867,000.

11

## TITLE II

12

## OPERATION AND MAINTENANCE

13

## OPERATION AND MAINTENANCE, ARMY

14

For expenses, not otherwise provided for, necessary  
15 for the operation and maintenance of the Army, as author-  
16 ized by law, \$39,780,856,000: *Provided*, That not to ex-  
17 ceed \$12,478,000 can be used for emergencies and ex-  
18 traordinary expenses, to be expended on the approval or  
19 authority of the Secretary of the Army, and payments may  
20 be made on his certificate of necessity for confidential mili-  
21 tary purposes.

22

## OPERATION AND MAINTENANCE, NAVY

23

For expenses, not otherwise provided for, necessary  
24 for the operation and maintenance of the Navy and the  
25 Marine Corps, as authorized by law, \$46,309,702,000:

1 *Provided*, That not to exceed \$15,055,000 can be used for  
2 emergencies and extraordinary expenses, to be expended  
3 on the approval or authority of the Secretary of the Navy,  
4 and payments may be made on his certificate of necessity  
5 for confidential military purposes.

6 OPERATION AND MAINTENANCE, MARINE CORPS

7 For expenses, not otherwise provided for, necessary  
8 for the operation and maintenance of the Marine Corps,  
9 as authorized by law, \$6,841,008,000.

10 OPERATION AND MAINTENANCE, AIR FORCE

11 For expenses, not otherwise provided for, necessary  
12 for the operation and maintenance of the Air Force, as  
13 authorized by law, \$40,751,433,000: *Provided*, That not  
14 to exceed \$7,699,000 can be used for emergencies and ex-  
15 traordinary expenses, to be expended on the approval or  
16 authority of the Secretary of the Air Force, and payments  
17 may be made on his certificate of necessity for confidential  
18 military purposes.

19 OPERATION AND MAINTENANCE, DEFENSE-WIDE

20 (INCLUDING TRANSFER OF FUNDS)

21 For expenses, not otherwise provided for, necessary  
22 for the operation and maintenance of activities and agen-  
23 cies of the Department of Defense (other than the military  
24 departments), as authorized by law, \$34,010,337,000:  
25 *Provided*, That not more than \$15,000,000 may be used



1 for the Combatant Commander Initiative Fund authorized  
2 under section 166a of title 10, United States Code: *Pro-*  
3 *vided further*, That not to exceed \$36,000,000 can be used  
4 for emergencies and extraordinary expenses, to be ex-  
5 pended on the approval or authority of the Secretary of  
6 Defense, and payments may be made on his certificate of  
7 necessity for confidential military purposes: *Provided fur-*  
8 *ther*, That of the funds provided under this heading, not  
9 less than \$32,658,000 shall be made available for the Pro-  
10 curement Technical Assistance Cooperative Agreement  
11 Program, of which not less than \$3,600,000 shall be avail-  
12 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*  
13 *vided further*, That none of the funds appropriated or oth-  
14 erwise made available by this Act may be used to plan  
15 or implement the consolidation of a budget or appropria-  
16 tions liaison office of the Office of the Secretary of De-  
17 fense, the office of the Secretary of a military department,  
18 or the service headquarters of one of the Armed Forces  
19 into a legislative affairs or legislative liaison office: *Pro-*  
20 *vided further*, That \$9,385,000, to remain available until  
21 expended, is available only for expenses relating to certain  
22 classified activities, and may be transferred as necessary  
23 by the Secretary of Defense to operation and maintenance  
24 appropriations or research, development, test and evalua-  
25 tion appropriations, to be merged with and to be available

1 for the same time period as the appropriations to which  
2 transferred: *Provided further*, That any ceiling on the in-  
3 vestment item unit cost of items that may be purchased  
4 with operation and maintenance funds shall not apply to  
5 the funds described in the preceding proviso: *Provided fur-*  
6 *ther*, That of the funds provided under this heading,  
7 \$592,683,000, to remain available until September 30,  
8 2019, shall be available to provide support and assistance  
9 to foreign security forces or other groups or individuals  
10 to conduct, support or facilitate counterterrorism, crisis  
11 response, or other Department of Defense security co-  
12 operation programs: *Provided further*, That the transfer  
13 authority provided under this heading is in addition to any  
14 other transfer authority provided elsewhere in this Act.

15 OPERATION AND MAINTENANCE, ARMY RESERVE

16 For expenses, not otherwise provided for, necessary  
17 for the operation and maintenance, including training, or-  
18 ganization, and administration, of the Army Reserve; re-  
19 pair of facilities and equipment; hire of passenger motor  
20 vehicles; travel and transportation; care of the dead; re-  
21 cruiting; procurement of services, supplies, and equip-  
22 ment; and communications, \$2,902,504,000.

23 OPERATION AND MAINTENANCE, NAVY RESERVE

24 For expenses, not otherwise provided for, necessary  
25 for the operation and maintenance, including training, or-

1 ganization, and administration, of the Navy Reserve; re-  
2 pair of facilities and equipment; hire of passenger motor  
3 vehicles; travel and transportation; care of the dead; re-  
4 cruiting; procurement of services, supplies, and equip-  
5 ment; and communications, \$1,062,707,000.

6 OPERATION AND MAINTENANCE, MARINE CORPS

7 RESERVE

8 For expenses, not otherwise provided for, necessary  
9 for the operation and maintenance, including training, or-  
10 ganization, and administration, of the Marine Corps Re-  
11 serve; repair of facilities and equipment; hire of passenger  
12 motor vehicles; travel and transportation; care of the dead;  
13 recruiting; procurement of services, supplies, and equip-  
14 ment; and communications, \$279,914,000.

15 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

16 For expenses, not otherwise provided for, necessary  
17 for the operation and maintenance, including training, or-  
18 ganization, and administration, of the Air Force Reserve;  
19 repair of facilities and equipment; hire of passenger motor  
20 vehicles; travel and transportation; care of the dead; re-  
21 cruiting; procurement of services, supplies, and equip-  
22 ment; and communications, \$3,227,407,000.



1 modification, maintenance, and issue of supplies and  
2 equipment, including those furnished from stocks under  
3 the control of agencies of the Department of Defense;  
4 travel expenses (other than mileage) on the same basis as  
5 authorized by law for Air National Guard personnel on  
6 active Federal duty, for Air National Guard commanders  
7 while inspecting units in compliance with National Guard  
8 Bureau regulations when specifically authorized by the  
9 Chief, National Guard Bureau, \$7,090,368,000.

10 UNITED STATES COURT OF APPEALS FOR THE ARMED  
11 FORCES

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

16 ENVIRONMENTAL RESTORATION, ARMY  
17 (INCLUDING TRANSFER OF FUNDS)

18 For the Department of the Army, \$215,809,000, to  
19 remain available until transferred: *Provided*, That the Sec-  
20 retary of the Army 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 Army, 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 Army, 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, NAVY  
12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of the Navy, \$323,649,000, to  
14 remain available until transferred: *Provided*, That the Sec-  
15 retary of the Navy shall, upon determining that such  
16 funds are required for environmental restoration, reduc-  
17 tion and recycling of hazardous waste, removal of unsafe  
18 buildings and debris of the Department of the Navy, or  
19 for similar purposes, transfer the funds made available by  
20 this appropriation to other appropriations made available  
21 to the Department of the Navy, to be merged with and  
22 to be available for the same purposes and for the same  
23 time period as the appropriations to which transferred:  
24 *Provided further*, That upon a determination that all or  
25 part of the funds transferred from this appropriation are

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

6 ENVIRONMENTAL RESTORATION, AIR FORCE

7 (INCLUDING TRANSFER OF FUNDS)

8 For the Department of the Air Force, \$337,549,000,  
9 to remain available until transferred: *Provided*, That the  
10 Secretary of the Air Force shall, upon determining that  
11 such funds are required for environmental restoration, re-  
12 duction and recycling of hazardous waste, removal of un-  
13 safe buildings and debris of the Department of the Air  
14 Force, or for similar purposes, transfer the funds made  
15 available by this appropriation to other appropriations  
16 made available to the Department of the Air Force, to be  
17 merged with and to be available for the same purposes  
18 and for the same time period as the appropriations to  
19 which transferred: *Provided further*, That upon a deter-  
20 mination that all or part of the funds transferred from  
21 this appropriation are not necessary for the purposes pro-  
22 vided herein, such amounts may be transferred back to  
23 this appropriation: *Provided further*, That the transfer au-  
24 thority provided under this heading is in addition to any  
25 other transfer authority provided elsewhere in this Act.

## 1 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

## 2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of Defense, \$9,002,000, to re-  
4 main available until transferred: *Provided*, That the Sec-  
5 retary of Defense shall, upon determining that such funds  
6 are required for environmental restoration, reduction and  
7 recycling of hazardous waste, removal of unsafe buildings  
8 and debris of the Department of Defense, or for similar  
9 purposes, transfer the funds made available by this appro-  
10 priation to other appropriations made available to the De-  
11 partment of Defense, to be merged with and to be avail-  
12 able for the same purposes and for the same time period  
13 as the appropriations to which transferred: *Provided fur-*  
14 *ther*, That upon a determination that all or part of the  
15 funds transferred from this appropriation are not nec-  
16 essary for the purposes provided herein, such amounts  
17 may be transferred back to this appropriation: *Provided*  
18 *further*, That the transfer authority provided under this  
19 heading is in addition to any other transfer authority pro-  
20 vided elsewhere in this Act.

## 21 ENVIRONMENTAL RESTORATION, FORMERLY USED

## 22 DEFENSE SITES

## 23 (INCLUDING TRANSFER OF FUNDS)

24 For the Department of the Army, \$215,673,000, to  
25 remain available until transferred: *Provided*, That the Sec-



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

17 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

18 For expenses relating to the Overseas Humanitarian,  
19 Disaster, and Civic Aid programs of the Department of  
20 Defense (consisting of the programs provided under sec-  
21 tions 401, 402, 404, 407, 2557, and 2561 of title 10,  
22 United States Code), \$119,900,000, to remain available  
23 until September 30, 2019.

## 1 COOPERATIVE THREAT REDUCTION ACCOUNT

2 For assistance, including assistance provided by con-  
3 tract or by grants, under programs and activities of the  
4 Department of Defense Cooperative Threat Reduction  
5 Program authorized under the Department of Defense Co-  
6 operative Threat Reduction Act, \$324,600,000, to remain  
7 available until September 30, 2020.

8 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE  
9 DEVELOPMENT FUND

10 For the Department of Defense Acquisition Work-  
11 force Development Fund, \$600,000,000, to remain avail-  
12 able for obligation until September 30, 2019: *Provided*,  
13 That no other amounts may be otherwise credited or  
14 transferred to the Fund, or deposited into the Fund, in  
15 fiscal year 2018 pursuant to section 1705(d) of title 10,  
16 United States Code: *Provided further*, That any amount  
17 transferred to the Fund for fiscal year 2018 before the  
18 date of the enactment of this Act pursuant to section  
19 1705(d)(3) of title 10, United States Code, or another pro-  
20 vision of law, shall be deposited in the Treasury as mis-  
21 cellaneous receipts.

1 TITLE III  
2 PROCUREMENT  
3 AIRCRAFT PROCUREMENT, ARMY

4 For construction, procurement, production, modifica-  
5 tion, and modernization of aircraft, equipment, including  
6 ordnance, ground handling equipment, spare parts, and  
7 accessories therefor; specialized equipment and training  
8 devices; expansion of public and private plants, including  
9 the land necessary therefor, for the foregoing purposes,  
10 and such lands and interests therein, may be acquired,  
11 and construction prosecuted thereon prior to approval of  
12 title; and procurement and installation of equipment, ap-  
13 pliances, and machine tools in public and private plants;  
14 reserve plant and Government and contractor-owned  
15 equipment layaway; and other expenses necessary for the  
16 foregoing purposes, \$5,085,303,000, to remain available  
17 for obligation until September 30, 2020.

18 MISSILE PROCUREMENT, ARMY

19 For construction, procurement, production, modifica-  
20 tion, and modernization of missiles, equipment, including  
21 ordnance, ground handling equipment, spare parts, and  
22 accessories therefor; specialized equipment and training  
23 devices; expansion of public and private plants, including  
24 the land necessary therefor, for the foregoing purposes,  
25 and such lands and interests therein, may be acquired,



## 1           PROCUREMENT OF AMMUNITION, ARMY

2           For construction, procurement, production, and  
3 modification of ammunition, and accessories therefor; spe-  
4 cialized equipment and training devices; expansion of pub-  
5 lic and private plants, including ammunition facilities, au-  
6 thorized by section 2854 of title 10, United States Code,  
7 and the land necessary therefor, for the foregoing pur-  
8 poses, and such lands and interests therein, may be ac-  
9 quired, and construction prosecuted thereon prior to ap-  
10 proval of title; and procurement and installation of equip-  
11 ment, appliances, and machine tools in public and private  
12 plants; reserve plant and Government and contractor-  
13 owned equipment layaway; and other expenses necessary  
14 for the foregoing purposes, \$2,403,384,000, to remain  
15 available for obligation until September 30, 2020.

## 16           OTHER PROCUREMENT, ARMY

17           For construction, procurement, production, and  
18 modification of vehicles, including tactical, support, and  
19 non-tracked combat vehicles; the purchase of passenger  
20 motor vehicles for replacement only; communications and  
21 electronic equipment; other support equipment; spare  
22 parts, ordnance, and accessories therefor; specialized  
23 equipment and training devices; expansion of public and  
24 private plants, including the land necessary therefor, for  
25 the foregoing purposes, and such lands and interests

1 therein, may be acquired, and construction prosecuted  
2 thereon prior to approval of title; and procurement and  
3 installation of equipment, appliances, and machine tools  
4 in public and private plants; reserve plant and Govern-  
5 ment and contractor-owned equipment layaway; and other  
6 expenses necessary for the foregoing purposes,  
7 \$7,814,263,000, to remain available for obligation until  
8 September 30, 2020.

9 AIRCRAFT PROCUREMENT, NAVY

10 For construction, procurement, production, modifica-  
11 tion, and modernization of aircraft, equipment, including  
12 ordnance, spare parts, and accessories therefor; specialized  
13 equipment; expansion of public and private plants, includ-  
14 ing the land necessary therefor, and such lands and inter-  
15 ests therein, may be acquired, and construction prosecuted  
16 thereon prior to approval of title; and procurement and  
17 installation of equipment, appliances, and machine tools  
18 in public and private plants; reserve plant and Govern-  
19 ment and contractor-owned equipment layaway,  
20 \$18,416,079,000, to remain available for obligation until  
21 September 30, 2020.

22 WEAPONS PROCUREMENT, NAVY

23 For construction, procurement, production, modifica-  
24 tion, and modernization of missiles, torpedoes, other weap-  
25 ons, and related support equipment including spare parts,

1 and accessories therefor; expansion of public and private  
2 plants, including the land necessary therefor, and such  
3 lands and interests therein, may be acquired, and con-  
4 struction prosecuted thereon prior to approval of title; and  
5 procurement and installation of equipment, appliances,  
6 and machine tools in public and private plants; reserve  
7 plant and Government and contractor-owned equipment  
8 layaway, \$3,393,458,000, to remain available for obliga-  
9 tion until September 30, 2020.

10     PROCUREMENT OF AMMUNITION, NAVY AND MARINE  
11   CORPS

12     For construction, procurement, production, and  
13 modification of ammunition, and accessories therefor; spe-  
14 cialized equipment and training devices; expansion of pub-  
15 lic and private plants, including ammunition facilities, au-  
16 thorized by section 2854 of title 10, United States Code,  
17 and the land necessary therefor, for the foregoing pur-  
18 poses, and such lands and interests therein, may be ac-  
19 quired, and construction prosecuted thereon prior to ap-  
20 proval of title; and procurement and installation of equip-  
21 ment, appliances, and machine tools in public and private  
22 plants; reserve plant and Government and contractor-  
23 owned equipment layaway; and other expenses necessary  
24 for the foregoing purposes, \$817,495,000, to remain avail-  
25 able for obligation until September 30, 2020.

## 1 SHIPBUILDING AND CONVERSION, NAVY

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

14 Ohio Replacement Submarine (AP),  
15 \$842,853,000;

16 Carrier Replacement Program, \$1,580,714,000;

17 Carrier Replacement Program (AP),  
18 \$2,561,058,000;

19 Virginia Class Submarine, \$3,480,315,000;

20 Virginia Class Submarine (AP),  
21 \$1,920,596,000;

22 CVN Refueling Overhauls, \$1,604,890,000;

23 CVN Refueling Overhauls (AP), \$75,897,000;

24 DDG-1000 Program, \$223,968,000;

25 DDG-51 Destroyer, \$3,329,079,000;



1 DDG-51 Destroyer (AP), \$90,336,000;  
2 Littoral Combat Ship, \$1,136,071,000;  
3 Amphibious Ship Replacement, \$1,000,000,000;  
4 LHA Replacement, \$1,710,927,000;  
5 Expeditionary Fast Transport, \$225,000,000;  
6 TAO Fleet Oiler, \$465,988,000;  
7 TAO Fleet Oiler (AP), \$75,068,000;  
8 T-AGS Oceanographic Survey Ship,  
9 \$150,000,000;  
10 Ship to Shore Connector, \$524,554,000;  
11 Service Craft, \$62,994,000;  
12 For outfitting, post delivery, conversions, and  
13 first destination transportation, \$489,073,000;  
14 Completion of Prior Year Shipbuilding Pro-  
15 grams, \$117,542,000; and  
16 Polar Icebreakers, \$150,000,000.

17 In all: \$21,816,923,000, to remain available for obli-  
18 gation until September 30, 2022: *Provided*, That addi-  
19 tional obligations may be incurred after September 30,  
20 2022, for engineering services, tests, evaluations, and  
21 other such budgeted work that must be performed in the  
22 final stage of ship construction: *Provided further*, That  
23 none of the funds provided under this heading for the con-  
24 struction or conversion of any naval vessel to be con-  
25 structed in shipyards in the United States shall be ex-

1 pended in foreign facilities for the construction of major  
2 components of such vessel: *Provided further*, That none  
3 of the funds provided under this heading shall be used  
4 for the construction of any naval vessel in foreign ship-  
5 yards.

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, \$8,115,384,000, 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, \$2,093,749,000, to remain available for ob-  
8 ligation until September 30, 2020.

9 AIRCRAFT PROCUREMENT, AIR FORCE

10 For construction, procurement, and modification of  
11 aircraft and equipment, including armor and armament,  
12 specialized ground handling equipment, and training de-  
13 vices, spare parts, and accessories therefor; specialized  
14 equipment; expansion of public and private plants, Gov-  
15 ernment-owned equipment and installation thereof in such  
16 plants, erection of structures, and acquisition of land, for  
17 the foregoing purposes, and such lands and interests  
18 therein, may be acquired, and construction prosecuted  
19 thereon prior to approval of title; reserve plant and Gov-  
20 ernment and contractor-owned equipment layaway; and  
21 other expenses necessary for the foregoing purposes in-  
22 cluding rents and transportation of things,  
23 \$16,189,022,000, to remain available for obligation until  
24 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, \$2,238,828,000, 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, \$3,095,995,000, 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, \$1,318,602,000, 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 \$20,334,550,000, 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 \$4,866,966,000, to remain available for obligation until  
2 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 \$37,401,000, to remain available until expended.

8 TITLE IV

9 RESEARCH, DEVELOPMENT, TEST AND  
10 EVALUATION

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

12 ARMY

13 For expenses necessary for basic and applied sci-  
14 entific research, development, test and evaluation, includ-  
15 ing maintenance, rehabilitation, lease, and operation of fa-  
16 cilities and equipment, \$9,860,343,000, to remain avail-  
17 able for obligation until September 30, 2019.

18 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

19 NAVY

20 For expenses necessary for basic and applied sci-  
21 entific research, development, test and evaluation, includ-  
22 ing maintenance, rehabilitation, lease, and operation of fa-  
23 cilities and equipment, \$17,628,000,000, to remain avail-  
24 able for obligation until September 30, 2019: *Provided*,  
25 That funds appropriated in this paragraph which are

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

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

5 For expenses necessary for basic and applied sci-  
6 entific research, development, test and evaluation, includ-  
7 ing maintenance, rehabilitation, lease, and operation of fa-  
8 cilities and equipment, \$36,587,419,000, to remain avail-  
9 able for obligation until September 30, 2019.

10 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
11 DEFENSE-WIDE

12 For expenses of activities and agencies of the Depart-  
13 ment of Defense (other than the military departments),  
14 necessary for basic and applied scientific research, devel-  
15 opment, test and evaluation; advanced research projects  
16 as may be designated and determined by the Secretary  
17 of Defense, pursuant to law; maintenance, rehabilitation,  
18 lease, and operation of facilities and equipment,  
19 \$21,680,660,000, to remain available for obligation until  
20 September 30, 2019.

21 OPERATIONAL TEST AND EVALUATION, DEFENSE

22 For expenses, not otherwise provided for, necessary  
23 for the independent activities of the Director, Operational  
24 Test and Evaluation, in the direction and supervision of  
25 operational test and evaluation, including initial oper-



1 ational test and evaluation which is conducted prior to,  
2 and in support of, production decisions; joint operational  
3 testing and evaluation; and administrative expenses in  
4 connection therewith, \$210,900,000, to remain available  
5 for obligation until September 30, 2019.

6

## TITLE V

7

## REVOLVING AND MANAGEMENT FUNDS

8

## DEFENSE WORKING CAPITAL FUNDS

9

For the Defense Working Capital Funds,

10 \$1,706,596,000.

11

## TITLE VI

12

## OTHER DEPARTMENT OF DEFENSE PROGRAMS

13

## DEFENSE HEALTH PROGRAM

14

For expenses, not otherwise provided for, for medical

15 and health care programs of the Department of Defense

16 as authorized by law, \$34,118,567,000; of which

17 \$31,666,850,000 shall be for operation and maintenance,

18 of which not to exceed one percent shall remain available

19 for obligation until September 30, 2019, and of which up

20 to \$15,550,537,000 may be available for contracts entered

21 into under the TRICARE program; of which

22 \$867,002,000, to remain available for obligation until Sep-

23 tember 30, 2020, shall be for procurement; and of which

24 \$1,584,715,000, to remain available for obligation until

25 September 30, 2019, shall be for research, development,

1 test and evaluation: *Provided*, That of the funds provided  
2 under this heading for research, development, test and  
3 evaluation, not less than \$691,500,000 shall be made  
4 available to the United States Army Medical Research and  
5 Materiel Command to carry out the congressionally di-  
6 rected medical research programs.

7 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,  
8 DEFENSE

9 For expenses, not otherwise provided for, necessary  
10 for the destruction of the United States stockpile of lethal  
11 chemical agents and munitions in accordance with the pro-  
12 visions of section 1412 of the Department of Defense Au-  
13 thorization Act, 1986 (50 U.S.C. 1521), and for the de-  
14 struction of other chemical warfare materials that are not  
15 in the chemical weapon stockpile, \$961,732,000, of which  
16 \$104,237,000 shall be for operation and maintenance, of  
17 which no less than \$49,401,000 shall be for the Chemical  
18 Stockpile Emergency Preparedness Program, consisting of  
19 \$21,045,000 for activities on military installations and  
20 \$28,356,000, to remain available until September 30,  
21 2019, to assist State and local governments; \$18,081,000  
22 shall be for procurement, to remain available until Sep-  
23 tember 30, 2020, of which \$16,787,000 shall be for the  
24 Chemical Stockpile Emergency Preparedness Program to  
25 assist State and local governments and \$1,294,000 for ac-

1 tivities on military installations; and \$839,414,000, to re-  
2 main available until September 30, 2019, shall be for re-  
3 search, development, test and evaluation, of which  
4 \$831,900,000 shall only be for the Assembled Chemical  
5 Weapons Alternatives program.

6 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,  
7 DEFENSE

8 (INCLUDING TRANSFER OF FUNDS)

9 For drug interdiction and counter-drug activities of  
10 the Department of Defense, for transfer to appropriations  
11 available to the Department of Defense for military per-  
12 sonnel of the reserve components serving under the provi-  
13 sions of title 10 and title 32, United States Code; for oper-  
14 ation and maintenance; for procurement; and for research,  
15 development, test and evaluation, \$930,814,000, of which  
16 \$552,648,000 shall be for counter-narcotics support;  
17 \$116,813,000 shall be for the drug demand reduction pro-  
18 gram; \$236,353,000 shall be for the National Guard  
19 counter-drug program; and \$25,000,000 shall be for the  
20 National Guard counter-drug schools program: *Provided*,  
21 That the funds appropriated under this heading shall be  
22 available for obligation for the same time period and for  
23 the same purpose as the appropriation to which trans-  
24 ferred: *Provided further*, That upon a determination that  
25 all or part of the funds transferred from this appropriation

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

6 OFFICE OF THE INSPECTOR GENERAL

7 For expenses and activities of the Office of the In-  
8 spector General in carrying out the provisions of the In-  
9 spector General Act of 1978, as amended, \$318,887,000,  
10 of which \$316,087,000 shall be for operation and mainte-  
11 nance, of which not to exceed \$700,000 is available for  
12 emergencies and extraordinary expenses to be expended on  
13 the approval or authority of the Inspector General, and  
14 payments may be made on the Inspector General's certifi-  
15 cate of necessity for confidential military purposes; and  
16 of which \$2,800,000, to remain available until September  
17 30, 2019, shall be for research, development, test and eval-  
18 uation.

19 TITLE VII

20 RELATED AGENCIES

21 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

22 DISABILITY SYSTEM FUND

23 For payment to the Central Intelligence Agency Re-  
24 tirement and Disability System Fund, to maintain the  
25 proper funding level for continuing the operation of the

1 Central Intelligence Agency Retirement and Disability  
2 System, \$514,000,000.

3 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

4 For necessary expenses of the Intelligence Commu-  
5 nity Management Account, \$543,000,000.

6 TITLE VIII

7 GENERAL PROVISIONS

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

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

1 States diplomatic missions whose pay is set by the Depart-  
2 ment of State under the Foreign Service Act of 1980: *Pro-*  
3 *vided further*, That the limitations of this provision shall  
4 not apply to foreign national employees of the Department  
5 of Defense in the Republic of Turkey.

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

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

16 (TRANSFER OF FUNDS)

17 SEC. 8005. Upon determination by the Secretary of  
18 Defense that such action is necessary in the national inter-  
19 est, he may, with the approval of the Office of Manage-  
20 ment and Budget, transfer not to exceed \$4,000,000,000  
21 of working capital funds of the Department of Defense  
22 or funds made available in this Act to the Department  
23 of Defense for military functions (except military con-  
24 struction) between such appropriations or funds or any  
25 subdivision thereof, to be merged with and to be available

1 for the same purposes, and for the same time period, as  
2 the appropriation or fund to which transferred: *Provided*,  
3 That such authority to transfer may not be used unless  
4 for higher priority items, based on unforeseen military 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 the Secretary of Defense shall notify the Congress  
9 promptly of all transfers made pursuant to this authority  
10 or any other authority in this Act: *Provided further*, That  
11 no part of the funds in this Act shall be available to pre-  
12 pare or present a request to the Committees on Appropria-  
13 tions for reprogramming of funds, unless for higher pri-  
14 ority items, based on unforeseen military requirements,  
15 than those for which originally appropriated and in no  
16 case where the item for which reprogramming is requested  
17 has been denied by the Congress: *Provided further*, That  
18 a request for multiple reprogrammings of funds using au-  
19 thority provided in this section shall be made prior to June  
20 30, 2018: *Provided further*, That transfers among military  
21 personnel appropriations shall not be taken into account  
22 for purposes of the limitation on the amount of funds that  
23 may be transferred under this section.

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

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

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

18 SEC. 8007. (a) Not later than 60 days after enact-  
19 ment of this Act, the Department of Defense shall submit  
20 a report to the congressional defense committees to estab-  
21 lish the baseline for application of reprogramming and  
22 transfer authorities for fiscal year 2018: *Provided*, That  
23 the report shall include—

24 (1) a table for each appropriation with a sepa-  
25 rate column to display the President’s budget re-



1       quest, adjustments made by Congress, adjustments  
2       due to enacted rescissions, if appropriate, and the  
3       fiscal year enacted level;

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

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

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

20           (1) “Environmental Restoration, Army”;

21           (2) “Environmental Restoration, Navy”;

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

23           (4) “Environmental Restoration, Defense-  
24       wide”;



1 inventory, unless the Secretary of Defense has notified the  
2 Congress prior to any such obligation.

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

7 SEC. 8010. None of the funds provided in this Act  
8 shall be available to initiate: (1) a multiyear contract that  
9 employs economic order quantity procurement in excess of  
10 \$20,000,000 in any one year of the contract or that in-  
11 cludes an unfunded contingent liability in excess of  
12 \$20,000,000; or (2) a contract for advance procurement  
13 leading to a multiyear contract that employs economic  
14 order quantity procurement in excess of \$20,000,000 in  
15 any one year, unless the congressional defense committees  
16 have been notified at least 30 days in advance of the pro-  
17 posed contract award: *Provided*, That no part of any ap-  
18 propriation contained in this Act shall be available to ini-  
19 tiate a multiyear contract for which the economic order  
20 quantity advance procurement is not funded at least to  
21 the limits of the Government's liability: *Provided further*,  
22 That no part of any appropriation contained in this Act  
23 shall be available to initiate multiyear procurement con-  
24 tracts for any systems or component thereof if the value  
25 of the multiyear contract would exceed \$500,000,000 un-

1 less specifically provided in this Act: *Provided further*,  
2 That no multiyear procurement contract can be termi-  
3 nated without 30-day prior notification to the congres-  
4 sional defense committees: *Provided further*, That the exe-  
5 cution of multiyear authority shall require the use of a  
6 present value analysis to determine lowest cost compared  
7 to an annual procurement: *Provided further*, That none of  
8 the funds provided in this Act may be used for a multiyear  
9 contract executed after the date of the enactment of this  
10 Act unless in the case of any such contract—

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

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

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

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

7           Funds appropriated in title III of this Act may be  
8           used for a multiyear procurement contract as follows: V-  
9           22 Osprey aircraft variants; SSN Virginia Class Sub-  
10          marine and Government-furnished equipment; and up to  
11          10 DDG-51 Arleigh Burke class Flight III guided missile  
12          destroyers, the MK41 Vertical Launching Systems, and  
13          associated Government-furnished systems and subsystems:  
14          *Provided*, That the term of any multiyear procurement  
15          contract for V-22 Osprey aircraft variants entered into  
16          for use of any part of any appropriation contained in this  
17          Act may not exceed 5 years: *Provided further*, That the  
18          multiyear procurement authority for the DDG-51 pro-  
19          gram provided for by this section shall be subject to the  
20          certification requirement in section 2306b(i)(1) of title 10,  
21          United States Code, with the cost analysis in connection  
22          with such certification to be current as of the date of such  
23          certification and to be submitted to Congress at the same  
24          time as the budget of the President for fiscal year 2019

1 is submitted to Congress under section 1105 of title 31,  
2 United States Code.

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

1 from American Samoa, the Commonwealth of the North-  
2 ern Mariana Islands, the Marshall Islands, the Federated  
3 States of Micronesia, Palau, and Guam.

4       SEC. 8012. (a) During fiscal year 2018, the civilian  
5 personnel of the Department of Defense may not be man-  
6 aged on the basis of any end-strength, and the manage-  
7 ment of such personnel during that fiscal year shall not  
8 be subject to any constraint or limitation (known as an  
9 end-strength) on the number of such personnel who may  
10 be employed on the last day of such fiscal year.

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

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

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

24       SEC. 8014. None of the funds appropriated by this  
25 Act shall be available for the basic pay and allowances of

1 any member of the Army participating as a full-time stu-  
2 dent and receiving benefits paid by the Secretary of Vet-  
3 erans Affairs from the Department of Defense Education  
4 Benefits Fund when time spent as a full-time student is  
5 credited toward completion of a service commitment: *Pro-*  
6 *vided*, That this section shall not apply to those members  
7 who have reenlisted with this option prior to October 1,  
8 1987: *Provided further*, That this section applies only to  
9 active components of the Army.

10 (TRANSFER OF FUNDS)

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

21 SEC. 8016. None of the funds appropriated by this  
22 Act shall be used for the support of any nonappropriated  
23 funds activity of the Department of Defense that procures  
24 malt beverages and wine with nonappropriated funds for  
25 resale (including such alcoholic beverages sold by the



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

16       SEC. 8017. None of the funds available to the De-  
17 partment of Defense may be used to demilitarize or dis-  
18 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,  
19 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or  
20 to demilitarize or destroy small arms ammunition or am-  
21 munition components that are not otherwise prohibited  
22 from commercial sale under Federal law, unless the small  
23 arms ammunition or ammunition components are certified  
24 by the Secretary of the Army or designee as unserviceable  
25 or unsafe for further use.

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

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

1 any fiscal year: *Provided further*, That notwithstanding  
2 section 1906 of title 41, United States Code, this section  
3 shall be applicable to any Department of Defense acquisi-  
4 tion of supplies or services, including any contract and any  
5 subcontract at any tier for acquisition of commercial items  
6 produced or manufactured, in whole or in part, by any  
7 subcontractor or supplier defined in section 1544 of title  
8 25, United States Code, or a small business owned and  
9 controlled by an individual or individuals defined under  
10 section 4221(9) of title 25, United States Code.

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

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

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

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

6           (2) \$10,600,000 shall be available from “Air-  
7           craft Procurement, Air Force”; and

8           (3) \$1,700,000 shall be available from “Other  
9           Procurement, Air Force” for vehicle procurement.

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

14          SEC. 8023. (a) None of the funds appropriated in this  
15          Act are available to establish a new Department of De-  
16          fense (department) federally funded research and develop-  
17          ment center (FFRDC), either as a new entity, or as a  
18          separate entity administrated by an organization man-  
19          aging another FFRDC, or as a nonprofit membership cor-  
20          poration consisting of a consortium of other FFRDCs and  
21          other nonprofit entities.

22          (b) No member of a Board of Directors, Trustees,  
23          Overseers, Advisory Group, Special Issues Panel, Visiting  
24          Committee, or any similar entity of a defense FFRDC,  
25          and no paid consultant to any defense FFRDC, except

1 when acting in a technical advisory capacity, may be com-  
2 pensated for his or her services as a member of such enti-  
3 ty, or as a paid consultant by more than one FFRDC in  
4 a fiscal year: *Provided*, That a member of any such entity  
5 referred to previously in this subsection shall be allowed  
6 travel expenses and per diem as authorized under the Fed-  
7 eral Joint Travel Regulations, when engaged in the per-  
8 formance of membership duties.

9 (c) Notwithstanding any other provision of law, none  
10 of the funds available to the department from any source  
11 during the current fiscal year may be used by a defense  
12 FFRDC, through a fee or other payment mechanism, for  
13 construction of new buildings not located on a military in-  
14 stallation, for payment of cost sharing for projects funded  
15 by Government grants, for absorption of contract over-  
16 runs, or for certain charitable contributions, not to include  
17 employee participation in community service and/or devel-  
18 opment.

19 (d) Notwithstanding any other provision of law, of  
20 the funds available to the department during fiscal year  
21 2018, not more than 6,072 staff years of technical effort  
22 (staff years) may be funded for defense FFRDCs: *Pro-*  
23 *vided*, That, of the specific amount referred to previously  
24 in this subsection, not more than 1,125 staff years may  
25 be funded for the defense studies and analysis FFRDCs:

1 *Provided further*, That this subsection shall not apply to  
2 staff years funded in the National Intelligence Program  
3 (NIP) and the Military Intelligence Program (MIP).

4 (e) The Secretary of Defense shall, with the submis-  
5 sion of the department's fiscal year 2019 budget request,  
6 submit a report presenting the specific amounts of staff  
7 years of technical effort to be allocated for each defense  
8 FFRDC during that fiscal year and the associated budget  
9 estimates.

10 (f) Notwithstanding any other provision of this Act,  
11 the total amount appropriated in this Act for FFRDCs  
12 is hereby reduced by \$116,000,000.

13 SEC. 8024. None of the funds appropriated or made  
14 available in this Act shall be used to procure carbon, alloy,  
15 or armor steel plate for use in any Government-owned fa-  
16 cility or property under the control of the Department of  
17 Defense which were not melted and rolled in the United  
18 States or Canada: *Provided*, That these procurement re-  
19 strictions shall apply to any and all Federal Supply Class  
20 9515, American Society of Testing and Materials (ASTM)  
21 or American Iron and Steel Institute (AISI) specifications  
22 of carbon, alloy or armor steel plate: *Provided further*,  
23 That the Secretary of the military department responsible  
24 for the procurement 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 adequate domestic supplies are not available  
3 to meet Department of Defense requirements on a timely  
4 basis and that such an acquisition must be made in order  
5 to acquire capability for national security purposes: *Pro-*  
6 *vided further*, That these restrictions shall not apply to  
7 contracts which are in being as of the date of the enact-  
8 ment of this Act.

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

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

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

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

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

22 (b) The Secretary of Defense shall submit to the Con-  
23 gress a report on the amount of Department of Defense  
24 purchases from foreign entities in fiscal year 2018. Such  
25 report shall separately indicate the dollar value of items



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

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

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

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

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

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

16           (d) In this section, the term “Indian tribe” means  
17 any recognized Indian tribe included on the current list  
18 published by the Secretary of the Interior under section  
19 104 of the Federally Recognized Indian Tribe Act of 1994  
20 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 5131).

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

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

3           (1) disestablish, or prepare to disestablish, a  
4 Senior Reserve Officers' Training Corps program in  
5 accordance with Department of Defense Instruction  
6 Number 1215.08, dated June 26, 2006; or

7           (2) close, downgrade from host to extension  
8 center, or place on probation a Senior Reserve Offi-  
9 cers' Training Corps program in accordance with the  
10 information paper of the Department of the Army  
11 titled "Army Senior Reserve Officer's Training  
12 Corps (SROTC) Program Review and Criteria",  
13 dated January 27, 2014.

14       SEC. 8032. The Secretary of Defense shall issue reg-  
15 ulations to prohibit the sale of any tobacco or tobacco-  
16 related products in military resale outlets in the United  
17 States, its territories and possessions at a price below the  
18 most competitive price in the local community: *Provided*,  
19 That such regulations shall direct that the prices of to-  
20 bacco or tobacco-related products in overseas military re-  
21 tail outlets shall be within the range of prices established  
22 for military retail system stores located in the United  
23 States.

24       SEC. 8033. (a) During the current fiscal year, none  
25 of the appropriations or funds available to the Department

1 of Defense Working Capital Funds shall be used for the  
2 purchase of an investment item for the purpose of acquir-  
3 ing a new inventory item for sale or anticipated sale dur-  
4 ing the current fiscal year or a subsequent fiscal year to  
5 customers of the Department of Defense Working Capital  
6 Funds if such an item would not have been chargeable  
7 to the Department of Defense Business Operations Fund  
8 during fiscal year 1994 and if the purchase of such an  
9 investment item would be chargeable during the current  
10 fiscal year to appropriations made to the Department of  
11 Defense for procurement.

12 (b) The fiscal year 2019 budget request for the De-  
13 partment of Defense as well as all justification material  
14 and other documentation supporting the fiscal year 2019  
15 Department of Defense budget shall be prepared and sub-  
16 mitted to the Congress on the basis that any equipment  
17 which was classified as an end item and funded in a pro-  
18 curement appropriation contained in this Act shall be  
19 budgeted for in a proposed fiscal year 2019 procurement  
20 appropriation and not in the supply management business  
21 area or any other area or category of the Department of  
22 Defense Working Capital Funds.

23 SEC. 8034. None of the funds appropriated by this  
24 Act for programs of the Central Intelligence Agency shall  
25 remain available for obligation beyond the current fiscal

1 year, except for funds appropriated for the Reserve for  
2 Contingencies, which shall remain available until Sep-  
3 tember 30, 2019: *Provided*, That funds appropriated,  
4 transferred, or otherwise credited to the Central Intel-  
5 ligence Agency Central Services Working Capital Fund  
6 during this or any prior or subsequent fiscal year shall  
7 remain available until expended: *Provided further*, That  
8 any funds appropriated or transferred to the Central Intel-  
9 ligence Agency for advanced research and development ac-  
10 quisition, for agent operations, and for covert action pro-  
11 grams authorized by the President under section 503 of  
12 the National Security Act of 1947 (50 U.S.C. 3093) shall  
13 remain available until September 30, 2019.

14       SEC. 8035. Up to \$10,322,000 of the funds appro-  
15 priated under the heading “Operation and Maintenance,  
16 Navy” may be made available for the Asia Pacific Re-  
17 gional Initiative Program for the purpose of enabling the  
18 Pacific Command to execute Theater Security Cooperation  
19 activities such as humanitarian assistance, and payment  
20 of incremental and personnel costs of training and exer-  
21 cising with foreign security forces: *Provided*, That funds  
22 made available for this purpose may be used, notwith-  
23 standing any other funding authorities for humanitarian  
24 assistance, security assistance or combined exercise ex-  
25 penses: *Provided further*, That funds may not be obligated

1 to provide assistance to any foreign country that is other-  
2 wise prohibited from receiving such type of assistance  
3 under any other provision of law.

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

14       SEC. 8037. (a) None of the funds appropriated in this  
15 Act may be expended by an entity of the Department of  
16 Defense unless the entity, in expending the funds, com-  
17 plies with the Buy American Act. For purposes of this  
18 subsection, the term “Buy American Act” means chapter  
19 83 of title 41, United States Code.

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

1 er the person should be debarred from contracting with  
2 the Department of Defense.

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

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

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

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

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

1 ing of the waiver will reduce the personnel requirements  
2 or the financial requirements of the department.

3 (c) This section does not apply to—

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

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

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

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

19 SEC. 8039. (a) None of the funds appropriated by  
20 this Act shall be available to convert to contractor per-  
21 formance an activity or function of the Department of De-  
22 fense that, on or after the date of the enactment of this  
23 Act, is performed by Department of Defense civilian em-  
24 ployees unless—



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

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

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

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

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

20                   (A) not making an employer-sponsored  
21 health insurance plan available to the workers  
22 who are to be employed in the performance of  
23 that activity or function under the contract; or

24                   (B) offering to such workers an employer-  
25 sponsored health benefits plan that requires the

1 employer to contribute less towards the pre-  
2 mium or subscription share than the amount  
3 that is paid by the Department of Defense for  
4 health benefits for civilian employees under  
5 chapter 89 of title 5, United States Code.

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

14 (A) is included on the procurement list estab-  
15 lished pursuant to section 2 of the Javits-Wagner-  
16 O'Day Act (section 8503 of title 41, United States  
17 Code);

18 (B) is planned to be converted to performance  
19 by a qualified nonprofit agency for the blind or by  
20 a qualified nonprofit agency for other severely handi-  
21 capped individuals in accordance with that Act; or

22 (C) is planned to be converted to performance  
23 by a qualified firm under at least 51 percent owner-  
24 ship by an Indian tribe, as defined in section 4(e)  
25 of the Indian Self-Determination and Education As-



1 Budget or the Balanced Budget and Emergency Deficit

2 Control Act of 1985, as amended:

3 “Other Procurement, Army”, 2016/2018,

4 \$39,967,000;

5 “Aircraft Procurement, Navy”, 2016/2018,

6 \$45,000,000;

7 “Aircraft Procurement, Air Force”, 2016/2018,

8 \$57,650,000;

9 “Procurement of Ammunition, Air Force”,

10 2016/2018, \$15,000,000;

11 “Aircraft Procurement, Army”, 2017/2019,

12 \$17,000,000;

13 “Procurement of Weapons and Tracked Combat

14 Vehicles, Army”, 2017/2019, \$5,652,000;

15 “Procurement of Ammunition, Army”, 2017/

16 2019, \$17,000,000;

17 “Other Procurement, Army”, 2017/2019,

18 \$10,390,000;

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

20 \$65,900,000;

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

22 \$59,300,000;

23 “Space Procurement, Air Force”, 2017/2019,

24 \$79,800,000;

1           “Procurement of Ammunition, Air Force”,  
2           2017/2019, \$18,000,000;

3           “Other Procurement, Air Force”, 2017/2019,  
4           \$142,591,000;

5           “Research, Development, Test and Evaluation,  
6           Army”, 2017/2018, \$81,681,000;

7           “Research, Development, Test and Evaluation,  
8           Air Force”, 2017/2018, \$140,600,000;

9           “Research, Development, Test and Evaluation,  
10          Defense-wide”, 2017/2018, \$25,000,000; and

11          “Defense Health Program: Research, Develop-  
12          ment, Test and Evaluation”, 2017/2018,  
13          \$35,000,000.

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

23          SEC. 8042. None of the funds appropriated or other-  
24 wise made available in this Act may be obligated or ex-

1    pended for assistance to the Democratic People’s Republic  
2    of Korea unless specifically appropriated for that purpose.

3           SEC. 8043. Funds appropriated in this Act for oper-  
4    ation and maintenance of the Military Departments, Com-  
5    batant Commands and Defense Agencies shall be available  
6    for reimbursement of pay, allowances and other expenses  
7    which would otherwise be incurred against appropriations  
8    for the National Guard and Reserve when members of the  
9    National Guard and Reserve provide intelligence or coun-  
10    terintelligence support to Combatant Commands, Defense  
11    Agencies and Joint Intelligence Activities, including the  
12    activities and programs included within the National Intel-  
13    ligence Program and the Military Intelligence Program:  
14    *Provided*, That nothing in this section authorizes deviation  
15    from established Reserve and National Guard personnel  
16    and training procedures.

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

22           (b) None of the funds available to the Central Intel-  
23    ligence Agency for any fiscal year for drug interdiction or  
24    counter-drug activities may be transferred to any other de-

1 partment or agency of the United States except as specifi-  
2 cally provided in an appropriations law.

3 SEC. 8045. Of the amounts appropriated for “Work-  
4 ing Capital Fund, Army”, \$120,000,000 shall be available  
5 to maintain competitive rates at the arsenals.

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

13 SEC. 8047. In addition to the amounts appropriated  
14 or otherwise made available elsewhere in this Act,  
15 \$20,000,000 is hereby appropriated to the Department of  
16 Defense: *Provided*, That upon the determination of the  
17 Secretary of Defense that it shall serve the national inter-  
18 est, the Secretary shall make grants in the amounts speci-  
19 fied as follows: \$20,000,000 to the United Service Organi-  
20 zations.

21 SEC. 8048. None of the funds in this Act may be  
22 used to purchase any supercomputer which is not manu-  
23 factured in the United States, unless the Secretary of De-  
24 fense certifies to the congressional defense committees  
25 that such an acquisition must be made in order to acquire

1 capability for national security purposes that is not avail-  
2 able from United States manufacturers.

3 SEC. 8049. Notwithstanding any other provision in  
4 this Act, the Small Business Innovation Research program  
5 and the Small Business Technology Transfer program set-  
6 asides shall be taken proportionally from all programs,  
7 projects, or activities to the extent they contribute to the  
8 extramural budget.

9 SEC. 8050. None of the funds available to the De-  
10 partment of Defense under this Act shall be obligated or  
11 expended to pay a contractor under a contract with the  
12 Department of Defense for costs of any amount paid by  
13 the contractor to an employee when—

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

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

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 8051. During the current fiscal year, no more  
21 than \$30,000,000 of appropriations made in this Act  
22 under the heading “Operation and Maintenance, Defense-  
23 Wide” may be transferred to appropriations available for  
24 the pay of military personnel, to be merged with, and to  
25 be available for the same time period as the appropriations



1 to which transferred, to be used in support of such per-  
2 sonnel in connection with support and services for eligible  
3 organizations and activities outside the Department of De-  
4 fense pursuant to section 2012 of title 10, United States  
5 Code.

6 SEC. 8052. During the current fiscal year, in the case  
7 of an appropriation account of the Department of Defense  
8 for which the period of availability for obligation has ex-  
9 pired or which has closed under the provisions of section  
10 1552 of title 31, United States Code, and which has a  
11 negative unliquidated or unexpended balance, an obliga-  
12 tion or an adjustment of an obligation may be charged  
13 to any current appropriation account for the same purpose  
14 as the expired or closed account if—

15 (1) the obligation would have been properly  
16 chargeable (except as to amount) to the expired or  
17 closed account before the end of the period of avail-  
18 ability or closing of that account;

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

22 (3) in the case of an expired account, the obli-  
23 gation is not chargeable to a current appropriation  
24 of the Department of Defense under the provisions  
25 of section 1405(b)(8) of the National Defense Au-

1       thorization Act for Fiscal Year 1991, Public Law  
2       101–510, as amended (31 U.S.C. 1551 note): *Pro-*  
3       *vided*, That in the case of an expired account, if sub-  
4       sequent review or investigation discloses that there  
5       was not in fact a negative unliquidated or unex-  
6       pended balance in the account, any charge to a cur-  
7       rent account under the authority of this section shall  
8       be reversed and recorded against the expired ac-  
9       count: *Provided further*, That the total amount  
10      charged to a current appropriation under this sec-  
11      tion may not exceed an amount equal to 1 percent  
12      of the total appropriation for that account.

13      SEC. 8053. (a) Notwithstanding any other provision  
14      of law, the Chief of the National Guard Bureau may per-  
15      mit the use of equipment of the National Guard Distance  
16      Learning Project by any person or entity on a space-avail-  
17      able, reimbursable basis. The Chief of the National Guard  
18      Bureau shall establish the amount of reimbursement for  
19      such use on a case-by-case basis.

20      (b) Amounts collected under subsection (a) shall be  
21      credited to funds available for the National Guard Dis-  
22      tance Learning Project and be available to defray the costs  
23      associated with the use of equipment of the project under  
24      that subsection. Such funds shall be available for such  
25      purposes without fiscal year limitation.



1 the same time period as the appropriations to which the  
2 funds are transferred: *Provided further*, That this transfer  
3 authority is in addition to any other transfer authority  
4 provided in this Act.

5       SEC. 8056. None of the funds appropriated in title  
6 IV of this Act may be used to procure end-items for deliv-  
7 ery to military forces for operational training, operational  
8 use or inventory requirements: *Provided*, That this restric-  
9 tion does not apply to end-items used in development,  
10 prototyping, and test activities preceding and leading to  
11 acceptance for operational use: *Provided further*, That the  
12 Secretary of Defense shall, with submission of the depart-  
13 ment's fiscal year 2019 budget request, submit a report  
14 detailing the use of funds requested in research, develop-  
15 ment, test and evaluation accounts for end-items used in  
16 development, prototyping and test activities preceding and  
17 leading to acceptance for operational use: *Provided further*,  
18 That this restriction does not apply to programs funded  
19 within the National Intelligence Program: *Provided fur-*  
20 *ther*, That the Secretary of Defense may waive this restric-  
21 tion on a case-by-case basis by certifying in writing to the  
22 Committees on Appropriations of the House of Represent-  
23 atives and the Senate that it is in the national security  
24 interest to do so.

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

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

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

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

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

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

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 8058. Of the amounts appropriated for “Oper-  
8 ation and Maintenance, Navy”, up to \$1,000,000 shall be  
9 available for transfer to the John C. Stennis Center for  
10 Public Service Development Trust Fund established under  
11 section 116 of the John C. Stennis Center for Public Serv-  
12 ice Training and Development Act (2 U.S.C. 1105).

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

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

6           SEC. 8061. Notwithstanding section 12310(b) of title  
7 10, United States Code, a Reserve who is a member of  
8 the National Guard serving on full-time National Guard  
9 duty under section 502(f) of title 32, United States Code,  
10 may perform duties in support of the ground-based ele-  
11 ments of the National Ballistic Missile Defense System.

12           SEC. 8062. None of the funds provided in this Act  
13 may be used to transfer to any nongovernmental entity  
14 ammunition held by the Department of Defense that has  
15 a center-fire cartridge and a United States military no-  
16 menclature designation of “armor penetrator”, “armor  
17 piercing (AP)”, “armor piercing incendiary (API)”, or  
18 “armor-piercing incendiary tracer (API-T)”, except to an  
19 entity performing demilitarization services for the Depart-  
20 ment of Defense under a contract that requires the entity  
21 to demonstrate to the satisfaction of the Department of  
22 Defense that armor piercing projectiles are either: (1) ren-  
23 dered incapable of reuse by the demilitarization process;  
24 or (2) used to manufacture ammunition pursuant to a con-  
25 tract with the Department of Defense or the manufacture

1 of ammunition for export pursuant to a License for Per-  
2 manent Export of Unclassified Military Articles issued by  
3 the Department of State.

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

15                   (INCLUDING TRANSFER OF FUNDS)

16       SEC. 8064. Of the amounts appropriated in this Act  
17 under the heading “Operation and Maintenance, Army”,  
18 \$66,881,780 shall remain available until expended: *Pro-*  
19 *vided*, That, notwithstanding any other provision of law,  
20 the Secretary of Defense is authorized to transfer such  
21 funds to other activities of the Federal Government: *Pro-*  
22 *vided further*, That the Secretary of Defense is authorized  
23 to enter into and carry out contracts for the acquisition  
24 of real property, construction, personal services, and oper-  
25 ations related to projects carrying out the purposes of this



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

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

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

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

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

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

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

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

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

17               (1) provide the proposed alternatives to all af-  
18 fected agencies;

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

23               (3) not later than 30 days after receiving all  
24 necessary certifications under paragraph (2), present

1 the proposed alternatives and certifications to the  
2 congressional defense and intelligence committees.

3 SEC. 8066. Any notice that is required to be sub-  
4 mitted to the Committees on Appropriations of the Senate  
5 and the House of Representatives under section 806(c)(4)  
6 of the Bob Stump National Defense Authorization Act for  
7 Fiscal Year 2003 (10 U.S.C. 2302 note) after the date  
8 of the enactment of this Act shall be submitted pursuant  
9 to that requirement concurrently to the Subcommittees on  
10 Defense of the Committees on Appropriations of the Sen-  
11 ate and the House of Representatives.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8067. Of the amounts appropriated in this Act  
14 under the headings “Procurement, Defense-Wide” and  
15 “Research, Development, Test and Evaluation, Defense-  
16 Wide”, \$705,800,000 shall be for the Israeli Cooperative  
17 Programs: *Provided*, That of this amount, \$92,000,000  
18 shall be for the Secretary of Defense to provide to the Gov-  
19 ernment of Israel for the procurement of the Iron Dome  
20 defense system to counter short-range rocket threats, sub-  
21 ject to the U.S.-Israel Iron Dome Procurement Agree-  
22 ment, as amended; \$221,500,000 shall be for the Short  
23 Range Ballistic Missile Defense (SRBMD) program, in-  
24 cluding cruise missile defense research and development  
25 under the SRBMD program, of which \$150,000,000 shall

1 be for co-production activities of SRBMD systems in the  
2 United States and in Israel to meet Israel’s defense re-  
3 quirements consistent with each nation’s laws, regulations,  
4 and procedures, subject to the U.S.-Israeli co-production  
5 agreement for SRBMD, as amended; \$310,000,000 shall  
6 be for an upper-tier component to the Israeli Missile De-  
7 fense Architecture, of which \$120,000,000 shall be for co-  
8 production activities of Arrow 3 Upper Tier systems in  
9 the United States and in Israel to meet Israel’s defense  
10 requirements consistent with each nation’s laws, regula-  
11 tions, and procedures, subject to the U.S.-Israeli co-pro-  
12 duction agreement for Arrow 3 Upper Tier, as amended,  
13 and \$105,000,000 shall be for testing of the upper-tier  
14 component to the Israeli Missile Defense architecture; and  
15 \$82,300,000 shall be for the Arrow System Improvement  
16 Program including development of a long range, ground  
17 and airborne, detection suite.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 8068. Of the amounts appropriated in this Act  
20 under the heading “Shipbuilding and Conversion, Navy”,  
21 \$117,542,000 shall be available until September 30, 2018,  
22 to fund prior year shipbuilding cost increases: *Provided*,  
23 That upon enactment of this Act, the Secretary of the  
24 Navy shall transfer funds to the following appropriations  
25 in the amounts specified: *Provided further*, That the

1 amounts transferred shall be merged with and be available  
2 for the same purposes as the appropriations to which  
3 transferred to:

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

7 (2) Under the heading “Shipbuilding and Con-  
8 version, Navy”, 2008/2018: DDG–51 Destroyer  
9 \$19,436,000;

10 (3) Under the heading “Shipbuilding and Con-  
11 version, Navy”, 2012/2018: Littoral Combat Ship  
12 \$6,394,000;

13 (4) Under the heading “Shipbuilding and Con-  
14 version, Navy”, 2012/2018: LHA Replacement  
15 \$14,200,000;

16 (5) Under the heading “Shipbuilding and Con-  
17 version, Navy”, 2013/2018: DDG–51 Destroyer  
18 \$31,941,000;

19 (6) Under the heading “Shipbuilding and Con-  
20 version, Navy”, 2014/2018: Littoral Combat Ship  
21 \$20,471,000; and

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

24 SEC. 8069. Funds appropriated by this Act, or made  
25 available by the transfer of funds in this Act, for intel-

1 liganee activities are deemed to be specifically authorized  
2 by the Congress for purposes of section 504 of the Na-  
3 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal  
4 year 2018 until the enactment of the Intelligence Author-  
5 ization Act for Fiscal Year 2018.

6 SEC. 8070. None of the funds provided in this Act  
7 shall be available for obligation or expenditure through a  
8 reprogramming of funds that creates or initiates a new  
9 program, project, or activity unless such program, project,  
10 or activity must be undertaken immediately in the interest  
11 of national security and only after written prior notifica-  
12 tion to the congressional defense committees.

13 SEC. 8071. The budget of the President for fiscal  
14 year 2019 submitted to the Congress pursuant to section  
15 1105 of title 31, United States Code, shall include sepa-  
16 rate budget justification documents for costs of United  
17 States Armed Forces' participation in contingency oper-  
18 ations for the Military Personnel accounts, the Operation  
19 and Maintenance accounts, the Procurement accounts,  
20 and the Research, Development, Test and Evaluation ac-  
21 counts: *Provided*, That these documents shall include a de-  
22 scription of the funding requested for each contingency op-  
23 eration, for each military service, to include all Active and  
24 Reserve components, and for each appropriations account:  
25 *Provided further*, That these documents shall include esti-

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

12 SEC. 8072. None of the funds in this Act may be  
13 used for research, development, test, evaluation, procure-  
14 ment or deployment of nuclear armed interceptors of a  
15 missile defense system.

16 (TRANSFER OF FUNDS)

17 SEC. 8073. The Secretary of Defense may transfer  
18 up to \$800,000,000 of the amounts appropriated or other-  
19 wise made available in this Act to the Department of De-  
20 fense for the rapid acquisition and deployment of supplies  
21 and associated support pursuant to section 806 of the Bob  
22 Stump National Defense Authorization Act for Fiscal  
23 Year 2003 (Public Law 107-314; 10 U.S.C. 2302 note):  
24 *Provided*, That the Secretary of Defense shall notify the  
25 congressional defense committees promptly of all transfers

1 made pursuant to this authority or any other authority  
2 in this Act: *Provided further*, That the transfer authority  
3 provided in this section is in addition to any other transfer  
4 authority provided elsewhere in this Act.

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

14 SEC. 8075. None of the funds provided in this Act  
15 shall be available for integration of foreign intelligence in-  
16 formation unless the information has been lawfully col-  
17 lected and processed during the conduct of authorized for-  
18 eign intelligence activities: *Provided*, That information  
19 pertaining to United States persons shall only be handled  
20 in accordance with protections provided in the Fourth  
21 Amendment of the United States Constitution as imple-  
22 mented through Executive Order No. 12333.

23 SEC. 8076. (a) None of the funds appropriated by  
24 this Act may be used to transfer research and develop-  
25 ment, acquisition, or other program authority relating to



1 current tactical unmanned aerial vehicles (TUAVs) from  
2 the Army.

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

8 SEC. 8077. None of the funds appropriated by this  
9 Act for programs of the Office of the Director of National  
10 Intelligence shall remain available for obligation beyond  
11 the current fiscal year, except for funds appropriated for  
12 research and technology, which shall remain available until  
13 September 30, 2019.

14 SEC. 8078. For purposes of section 1553(b) of title  
15 31, United States Code, any subdivision of appropriations  
16 made in this Act under the heading “Shipbuilding and  
17 Conversion, Navy” shall be considered to be for the same  
18 purpose as any subdivision under the heading “Ship-  
19 building and Conversion, Navy” appropriations in any  
20 prior fiscal year, and the 1 percent limitation shall apply  
21 to the total amount of the appropriation.

22 SEC. 8079. (a) Not later than 60 days after the date  
23 of enactment of this Act, the Director of National Intel-  
24 ligence shall submit a report to the congressional intel-  
25 ligence committees to establish the baseline for application

1 of reprogramming and transfer authorities for fiscal year  
2 2018: *Provided*, That the report shall include—

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

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

10 (3) an identification of items of special congres-  
11 sional interest.

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

20 SEC. 8080. Notwithstanding any other provision of  
21 law, any transfer of funds, appropriated or otherwise made  
22 available by this Act, for support to friendly foreign coun-  
23 tries in connection with the conduct of operations in which  
24 the United States is not participating, pursuant to section

1 331(d) Title 10 U.S.C. shall be made in accordance with  
2 sections 8005 or 9002 of this Act, as applicable.

3 SEC. 8081. Any transfer of amounts appropriated to,  
4 credited to, or deposited in the Department of Defense Ac-  
5 quisition Workforce Development Fund in or for fiscal  
6 year 2018 to a military department or Defense Agency  
7 pursuant to section 1705(e)(1) of title 10, United States  
8 Code, shall be covered by and subject to sections 8005 or  
9 9002 of this Act, as applicable.

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

21 SEC. 8083. (a) None of the funds provided for the  
22 National Intelligence Program in this or any prior appro-  
23 priations Act shall be available for obligation or expendi-  
24 ture through a reprogramming or transfer of funds in ac-

1 cordance with section 102A(d) of the National Security  
2 Act of 1947 (50 U.S.C. 3024(d)) that—

3 (1) creates a new start effort;

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

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

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

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

24 SEC. 8084. The Director of National Intelligence  
25 shall submit to Congress each year, at or about the time

1 that the President’s budget is submitted to Congress that  
2 year under section 1105(a) of title 31, United States  
3 Code, a future-years intelligence program (including asso-  
4 ciated annexes) reflecting the estimated expenditures and  
5 proposed appropriations included in that budget. Any such  
6 future-years intelligence program shall cover the fiscal  
7 year with respect to which the budget is submitted and  
8 at least the four succeeding fiscal years.

9       SEC. 8085. For the purposes of this Act, the term  
10 “congressional intelligence committees” means the Perma-  
11 nent Select Committee on Intelligence of the House of  
12 Representatives, the Select Committee on Intelligence of  
13 the Senate, the Subcommittee on Defense of the Com-  
14 mittee on Appropriations of the House of Representatives,  
15 and the Subcommittee on Defense of the Committee on  
16 Appropriations of the Senate.

17                                   (INCLUDING TRANSFER OF FUNDS)

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

1       SEC. 8087. None of the funds appropriated by this  
2 Act may be available for the purpose of making remit-  
3 tances to the Department of Defense Acquisition Work-  
4 force Development Fund in accordance with section 1705  
5 of title 10, United States Code.

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

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

13           (1) the public posting of the report com-  
14 promises national security; or

15           (2) the report contains proprietary information.

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

20       SEC. 8089. (a) None of the funds appropriated or  
21 otherwise made available by this Act may be expended for  
22 any Federal contract for an amount in excess of  
23 \$1,000,000, unless the contractor agrees not to—

24           (1) enter into any agreement with any of its  
25 employees or independent contractors that requires,

1 as a condition of employment, that the employee or  
2 independent contractor agree to resolve through ar-  
3 bitration any claim under title VII of the Civil  
4 Rights Act of 1964 or any tort related to or arising  
5 out of sexual assault or harassment, including as-  
6 sault and battery, intentional infliction of emotional  
7 distress, false imprisonment, or negligent hiring, su-  
8 pervision, or retention; or

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

19 (b) None of the funds appropriated or otherwise  
20 made available by this Act may be expended for any Fed-  
21 eral contract unless the contractor certifies that it requires  
22 each covered subcontractor to agree not to enter into, and  
23 not to take any action to enforce any provision of, any  
24 agreement as described in paragraphs (1) and (2) of sub-  
25 section (a), with respect to any employee or independent

1 contractor performing work related to such subcontract.  
2 For purposes of this subsection, a “covered subcon-  
3 tractor” is an entity that has a subcontract in excess of  
4 \$1,000,000 on a contract subject to subsection (a).

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

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



1 fore the contract or subcontract addressed in the deter-  
2 mination may be awarded.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8090. From within the funds appropriated for  
5 operation and maintenance for the Defense Health Pro-  
6 gram in this Act, up to \$115,519,000, shall be available  
7 for transfer to the Joint Department of Defense-Depart-  
8 ment of Veterans Affairs Medical Facility Demonstration  
9 Fund in accordance with the provisions of section 1704  
10 of the National Defense Authorization Act for Fiscal Year  
11 2010, Public Law 111–84: *Provided*, That for purposes  
12 of section 1704(b), the facility operations funded are oper-  
13 ations of the integrated Captain James A. Lovell Federal  
14 Health Care Center, consisting of the North Chicago Vet-  
15 erans Affairs Medical Center, the Navy Ambulatory Care  
16 Center, and supporting facilities designated as a combined  
17 Federal medical facility as described by section 706 of  
18 Public Law 110–417: *Provided further*, That additional  
19 funds may be transferred from funds appropriated for op-  
20 eration and maintenance for the Defense Health Program  
21 to the Joint Department of Defense-Department of Vet-  
22 erans Affairs Medical Facility Demonstration Fund upon  
23 written notification by the Secretary of Defense to the  
24 Committees on Appropriations of the House of Represent-  
25 atives and the Senate.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8091. In addition to amounts appropriated in  
3 title II or otherwise made available elsewhere in this Act,  
4 \$900,000,000 is hereby appropriated to the Department  
5 of Defense and made available for transfer to the oper-  
6 ation and maintenance accounts of the Army, Navy, Ma-  
7 rine Corps, and Air Force (including National Guard and  
8 Reserve) for purposes of improving military readiness:  
9 *Provided*, That the transfer authority provided under this  
10 provision is in addition to any other transfer authority  
11 provided elsewhere in this Act.

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

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 8093. Upon a determination by the Director of  
21 National Intelligence that such action is necessary and in  
22 the national interest, the Director may, with the approval  
23 of the Office of Management and Budget, transfer not to  
24 exceed \$1,500,000,000 of the funds made available in this  
25 Act for the National Intelligence Program: *Provided*, That

1 such authority to transfer may not be used unless for  
2 higher priority items, based on unforeseen intelligence re-  
3 quirements, than those for which originally appropriated  
4 and in no case where the item for which funds are re-  
5 quested has been denied by the Congress: *Provided further,*  
6 That a request for multiple reprogrammings of funds  
7 using authority provided in this section shall be made  
8 prior to June 30, 2018.

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

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

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

19 SEC. 8095. (a) None of the funds appropriated or  
20 otherwise made available in this or any other Act may be  
21 used to construct, acquire, or modify any facility in the  
22 United States, its territories, or possessions to house any  
23 individual described in subsection (c) for the purposes of  
24 detention or imprisonment in the custody or under the ef-  
25 fective control of the Department of Defense.

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

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

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

10 (2) is—

11 (A) in the custody or under the effective  
12 control of the Department of Defense; or

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

15 SEC. 8096. None of the funds appropriated or other-  
16 wise made available in this Act may be used to transfer  
17 any individual detained at United States Naval Station  
18 Guantánamo Bay, Cuba, to the custody or control of the  
19 individual's country of origin, any other foreign country,  
20 or any other foreign entity except in accordance with sec-  
21 tion 1034 of the National Defense Authorization Act for  
22 Fiscal Year 2016 (Public Law 114–92) and section 1034  
23 of the National Defense Authorization Act for Fiscal Year  
24 2017 (Public Law 114–328).

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

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

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

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

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

1       ments in force between the Government of the Rus-  
2       sian Federation and the Government of Ukraine;  
3       and

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

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

17      SEC. 8099. The Secretary of Defense, in consultation  
18      with the Service Secretaries, shall submit two reports to  
19      the congressional defense committees, not later than  
20      March 1, 2018, and not later than September 1, 2018,  
21      detailing the submission of records during the previous 6  
22      months to databases accessible to the National Instant  
23      Criminal Background Check System (NICS), including  
24      the Interstate Identification Index (III), the National  
25      Crime Information Center (NCIC), and the NICS Index,

1 as required by Public Law 110–180: *Provided*, That such  
2 reports shall provide the number and category of records  
3 submitted by month to each such database, by Service or  
4 Component: *Provided further*, That such reports shall  
5 identify the number and category of records submitted by  
6 month to those databases for which the Identification for  
7 Firearm Sales (IFFS) flag or other database flags were  
8 used to pre-validate the records and indicate that such  
9 persons are prohibited from receiving or possessing a fire-  
10 arm: *Provided further*, That such reports shall describe the  
11 steps taken during the previous 6 months, by Service or  
12 Component, to ensure complete and accurate submission  
13 and appropriate flagging of records of individuals prohib-  
14 ited from gun possession or receipt pursuant to 18 U.S.C.  
15 922(g) or (n) including applicable records involving pro-  
16 ceedings under the Uniform Code of Military Justice.

17       SEC. 8100. (a) Of the funds appropriated in this Act  
18 for the Department of Defense, amounts may be made  
19 available, under such regulations as the Secretary of De-  
20 fense may prescribe, to local military commanders ap-  
21 pointed by the Secretary, or by an officer or employee des-  
22 ignated by the Secretary, to provide at their discretion ex  
23 gratia payments in amounts consistent with subsection (d)  
24 of this section for damage, personal injury, or death that

1 is incident to combat operations of the Armed Forces in  
2 a foreign country.

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

5 (1) the prospective foreign civilian recipient is  
6 determined by the local military commander to be  
7 friendly to the United States;

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

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

14 (c) NATURE OF PAYMENTS.—Any payments provided  
15 under a program under subsection (a) shall not be consid-  
16 ered an admission or acknowledgement of any legal obliga-  
17 tion to compensate for any damage, personal injury, or  
18 death.

19 (d) AMOUNT OF PAYMENTS.—If the Secretary of De-  
20 fense determines a program under subsection (a) to be ap-  
21 propriate in a particular setting, the amounts of pay-  
22 ments, if any, to be provided to civilians determined to  
23 have suffered harm incident to combat operations of the  
24 Armed Forces under the program should be determined  
25 pursuant to regulations prescribed by the Secretary and



1 based on an assessment, which should include such factors  
2 as cultural appropriateness and prevailing economic condi-  
3 tions.

4 (e) LEGAL ADVICE.—Local military commanders  
5 shall receive legal advice before making ex gratia pay-  
6 ments under this subsection. The legal advisor, under reg-  
7 ulations of the Department of Defense, shall advise on  
8 whether an ex gratia payment is proper under this section  
9 and applicable Department of Defense regulations.

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

15 (g) REPORT.—The Secretary of Defense shall report  
16 to the congressional defense committees on an annual  
17 basis the efficacy of the ex gratia payment program in-  
18 cluding the number of types of cases considered, amounts  
19 offered, the response from ex gratia payment recipients,  
20 and any recommended modifications to the program.

21 SEC. 8101. None of the funds available in this Act  
22 to the Department of Defense, other than appropriations  
23 made for necessary or routine refurbishments, upgrades  
24 or maintenance activities, shall be used to reduce or to  
25 prepare to reduce the number of deployed and non-de-

1   ployed strategic delivery vehicles and launchers below the  
2   levels set forth in the report submitted to Congress in ac-  
3   cordance with section 1042 of the National Defense Au-  
4   thorization Act for Fiscal Year 2012.

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

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

23           (1) conduct an acquisition pursuant to section  
24       702 of the Foreign Intelligence Surveillance Act of

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

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

10       SEC. 8104. None of the funds made available in this  
11       or any other Act may be used to pay the salary of any  
12       officer or employee of any agency funded by this Act who  
13       approves or implements the transfer of administrative re-  
14       sponsibilities or budgetary resources of any program,  
15       project, or activity financed by this Act to the jurisdiction  
16       of another Federal agency not financed by this Act with-  
17       out the express authorization of Congress: *Provided*, That  
18       this limitation shall not apply to transfers of funds ex-  
19       pressly provided for in Defense Appropriations Acts, or  
20       provisions of Acts providing supplemental appropriations  
21       for the Department of Defense.

22       SEC. 8105. None of the funds made available in this  
23       Act may be obligated for activities authorized under sec-  
24       tion 1208 of the Ronald W. Reagan National Defense Au-  
25       thorization Act for Fiscal Year 2005 (Public Law 112–

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

17 SEC. 8106. None of the funds provided in this Act  
18 for the TAO-205 or T-ATS programs shall be used to  
19 award a new contract that provides for the acquisition of  
20 the following components unless those components are  
21 manufactured in the United States: Auxiliary equipment  
22 (including pumps) for shipboard services; propulsion  
23 equipment (including engines, reduction gears, and propel-  
24 lers); shipboard cranes; and spreaders for shipboard  
25 cranes.



1 ducting such investigations: *Provided*, That the Secretary  
2 may transfer additional amounts into these headings or  
3 into “Procurement, Defense-Wide” using established re-  
4 programming procedures prescribed in the Department of  
5 Defense Financial Management Regulation 7000.14, Vol-  
6 ume 3, Chapter 6, dated September 2015: *Provided fur-*  
7 *ther*, That such funds shall supplement, not supplant any  
8 other amounts made available to other Federal agencies  
9 for such purposes.

10 SEC. 8110. None of the funds made available by this  
11 Act for the Joint Surveillance Target Attack Radar Sys-  
12 tem recapitalization program may be obligated or ex-  
13 pended for pre-milestone B activities after June 30, 2018.

14 SEC. 8111. None of the funds made available by this  
15 Act may be used to carry out the closure or realignment  
16 of the United States Naval Station, Guantánamo Bay,  
17 Cuba.

18 SEC. 8112. (a) None of the funds made available in  
19 this Act may be used to maintain or establish a computer  
20 network unless such network is designed to block access  
21 to pornography websites.

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

1 or for any activity necessary for the national defense, in-  
2 cluding intelligence activities.

3 SEC. 8113. Notwithstanding any other provision of  
4 law, any transfer of funds appropriated or otherwise made  
5 available by this Act to the Global Engagement Center es-  
6 tablished by section 1287 of the National Defense Author-  
7 ization Act for Fiscal Year 2017 (Public Law 114–328;  
8 130 Stat. 22 U.S.C. 2656 note) shall be made in accord-  
9 ance with section 8005 or 9002 of this Act, as applicable.

10 SEC. 8114. No amounts credited or otherwise made  
11 available in this or any other Act to the Department of  
12 Defense Acquisition Workforce Development Fund may be  
13 transferred to:

14 (1) the Rapid Prototyping Fund established  
15 under section 804(d) of the National Defense Au-  
16 thorization Act for Fiscal Year 2016 (10 U.S.C.  
17 2302 note); or

18 (2) credited to a military-department specific  
19 fund established under section 804(d)(2) of the Na-  
20 tional Defense Authorization Act for Fiscal Year  
21 2016 (as amended by section 897 of the National  
22 Defense Authorization Act for Fiscal Year 2017).

## 1 TITLE IX

## 2 OVERSEAS CONTINGENCY OPERATIONS

## 3 MILITARY PERSONNEL

## 4 MILITARY PERSONNEL, ARMY

5 For an additional amount for “Military Personnel,  
6 Army”, \$2,683,694,000: *Provided*, That such amount is  
7 designated by the Congress for Overseas Contingency Op-  
8 erations/Global War on Terrorism pursuant to section  
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
10 Deficit Control Act of 1985.

## 11 MILITARY PERSONNEL, NAVY

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

## 18 MILITARY PERSONNEL, MARINE CORPS

19 For an additional amount for “Military Personnel,  
20 Marine Corps”, \$103,979,000: *Provided*, That such  
21 amount is designated by the Congress for Overseas Con-  
22 tingency Operations/Global War on Terrorism pursuant to  
23 section 251(b)(2)(A)(ii) of the Balanced Budget and  
24 Emergency Deficit Control Act of 1985.



## 1                   MILITARY PERSONNEL, AIR FORCE

2           For an additional amount for “Military Personnel,  
3 Air Force”, \$914,119,000: *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           OPERATION AND MAINTENANCE

## 2           OPERATION AND MAINTENANCE, ARMY

3           For an additional amount for “Operation and Main-  
4   tenance, Army”, \$16,702,994,000: *Provided*, That such  
5   amount is designated by the Congress for Overseas Con-  
6   tingency Operations/Global War on Terrorism pursuant to  
7   section 251(b)(2)(A)(ii) of the Balanced Budget and  
8   Emergency Deficit Control Act of 1985.

## 9           OPERATION AND MAINTENANCE, NAVY

10          For an additional amount for “Operation and Main-  
11   tenance, Navy”, \$5,789,404,000: *Provided*, That such  
12   amount is designated by the Congress for Overseas Con-  
13   tingency Operations/Global War on Terrorism pursuant to  
14   section 251(b)(2)(A)(ii) of the Balanced Budget and  
15   Emergency Deficit Control Act of 1985.

## 16          OPERATION AND MAINTENANCE, MARINE CORPS

17          For an additional amount for “Operation and Main-  
18   tenance, Marine Corps”, \$1,141,374,000: *Provided*, That  
19   such amount is designated by the Congress for Overseas  
20   Contingency Operations/Global War on Terrorism pursu-  
21   ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
22   and Emergency Deficit Control Act of 1985.

## 23          OPERATION AND MAINTENANCE, AIR FORCE

24          For an additional amount for “Operation and Main-  
25   tenance, Air Force”, \$10,223,895,000: *Provided*, That

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

5 OPERATION AND MAINTENANCE, DEFENSE-WIDE

6 For an additional amount for “Operation and Main-  
7 tenance, Defense-Wide”, \$7,803,437,000: *Provided*, That  
8 of the funds provided under this heading, not to exceed  
9 \$1,000,000,000, to remain available until September 30,  
10 2019, shall be for payments to reimburse key cooperating  
11 nations for logistical, military, and other support, includ-  
12 ing access, provided to United States military and stability  
13 operations in Afghanistan and to counter the Islamic  
14 State of Iraq and Syria: *Provided further*, That such reim-  
15 bursement payments may be made in such amounts as the  
16 Secretary of Defense, with the concurrence of the Sec-  
17 retary of State, and in consultation with the Director of  
18 the Office of Management and Budget, may determine,  
19 based on documentation determined by the Secretary of  
20 Defense to adequately account for the support provided,  
21 and such determination is final and conclusive upon the  
22 accounting officers of the United States, and 15 days fol-  
23 lowing notification to the appropriate congressional com-  
24 mittees: *Provided further*, That these funds may be used  
25 for the purpose of providing specialized training and pro-

1 curing supplies and specialized equipment and providing  
2 such supplies and loaning such equipment on a non-reim-  
3 bursable basis to coalition forces supporting United States  
4 military and stability operations in Afghanistan and to  
5 counter the Islamic State of Iraq and Syria, and 15 days  
6 following notification to the appropriate congressional  
7 committees: *Provided further*, That these funds may be  
8 used to support the Government of Jordan, in such  
9 amounts as the Secretary of Defense may determine, to  
10 enhance the ability of the armed forces of Jordan to in-  
11 crease or sustain security along its borders, upon 15 days  
12 prior written notification to the congressional defense  
13 committees outlining the amounts intended to be provided  
14 and the nature of the expenses incurred: *Provided further*,  
15 That of the funds provided under this heading, not to ex-  
16 ceed \$750,000,000, to remain available until September  
17 30, 2019, shall be available to provide support and assist-  
18 ance to foreign security forces or other groups or individ-  
19 uals to conduct, support or facilitate counterterrorism, cri-  
20 sis response, or other Department of Defense security co-  
21 operation programs: *Provided further*, That the Secretary  
22 of Defense shall provide quarterly reports to the congress-  
23 sional defense committees on the use of funds provided  
24 in this paragraph: *Provided further*, That such amount is  
25 designated by the Congress for Overseas Contingency Op-

1 erations/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 OPERATION AND MAINTENANCE, ARMY RESERVE

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

11 OPERATION AND MAINTENANCE, NAVY RESERVE

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

18 OPERATION AND MAINTENANCE, MARINE CORPS

19 RESERVE

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

## 1 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

2 For an additional amount for “Operation and Main-  
3 tenance, Air Force Reserve”, \$53,523,000: *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, ARMY NATIONAL  
9 GUARD

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

## 16 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

## 23 AFGHANISTAN SECURITY FORCES FUND

24 For the “Afghanistan Security Forces Fund”,  
25 \$4,178,815,000, to remain available until September 30,

1 2019: *Provided*, That such funds shall be available to the  
2 Secretary of Defense for the purpose of allowing the Com-  
3 mander, Combined Security Transition Command—Af-  
4 ghanistan, or the Secretary’s designee, to provide assist-  
5 ance, with the concurrence of the Secretary of State, to  
6 the security forces of Afghanistan, including the provision  
7 of equipment, supplies, services, training, facility and in-  
8 frastructure repair, renovation, construction, and funding:  
9 *Provided further*, That the Secretary of Defense may obli-  
10 gate and expend funds made available to the Department  
11 of Defense in this title for additional costs associated with  
12 existing projects previously funded with amounts provided  
13 under the heading “Afghanistan Infrastructure Fund” in  
14 prior Acts: *Provided further*, That such costs shall be lim-  
15 ited to contract changes resulting from inflation, market  
16 fluctuation, rate adjustments, and other necessary con-  
17 tract actions to complete existing projects, and associated  
18 supervision and administration costs and costs for design  
19 during construction: *Provided further*, That the Secretary  
20 may not use more than \$50,000,000 under the authority  
21 provided in this section: *Provided further*, That the Sec-  
22 retary shall notify in advance such contract changes and  
23 adjustments in annual reports to the congressional defense  
24 committees: *Provided further*, That the authority to pro-  
25 vide assistance under this heading is in addition to any



1 other authority to provide assistance to foreign nations:  
2 *Provided further*, That contributions of funds for the pur-  
3 poses provided herein from any person, foreign govern-  
4 ment, or international organization may be credited to this  
5 Fund, to remain available until expended, and used for  
6 such purposes: *Provided further*, That the Secretary of De-  
7 fense shall notify the congressional defense committees in  
8 writing upon the receipt and upon the obligation of any  
9 contribution, delineating the sources and amounts of the  
10 funds received and the specific use of such contributions:  
11 *Provided further*, That the Secretary of Defense shall, not  
12 fewer than 15 days prior to obligating from this appro-  
13 priation account, notify the congressional defense commit-  
14 tees in writing of the details of any such obligation: *Pro-*  
15 *vided further*, That the Secretary of Defense shall notify  
16 the congressional defense committees of any proposed new  
17 projects or transfer of funds between budget sub-activity  
18 groups in excess of \$20,000,000: *Provided further*, That  
19 the United States may accept equipment procured using  
20 funds provided under this heading in this or prior Acts  
21 that was transferred to the security forces of Afghanistan  
22 and returned by such forces to the United States: *Provided*  
23 *further*, That equipment procured using funds provided  
24 under this heading in this or prior Acts, and not yet trans-  
25 ferred to the security forces of Afghanistan or transferred

1 to the security forces of Afghanistan and returned by such  
2 forces to the United States, may be treated as stocks of  
3 the Department of Defense upon written notification to  
4 the congressional defense committees: *Provided further*,  
5 That of the funds provided under this heading, not less  
6 than \$10,000,000 shall be for recruitment and retention  
7 of women in the Afghanistan National Security Forces,  
8 and the recruitment and training of female security per-  
9 sonnel: *Provided further*, That such amount is designated  
10 by the Congress for Overseas Contingency Operations/  
11 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 COUNTER-ISIS TRAIN AND EQUIP FUND

15 For the “Counter-Islamic State of Iraq and Syria  
16 Train and Equip Fund”, \$1,769,000,000, to remain avail-  
17 able until September 30, 2019: *Provided*, That such funds  
18 shall be available to the Secretary of Defense in coordina-  
19 tion with the Secretary of State, to provide assistance, in-  
20 cluding training; equipment; logistics support, supplies,  
21 and services; stipends; infrastructure repair and renova-  
22 tion; and sustainment, to foreign security forces, irregular  
23 forces, groups, or individuals participating, or preparing  
24 to participate in activities to counter the Islamic State of  
25 Iraq and Syria, and their affiliated or associated groups:

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

1 tity may be credited to this Fund, to remain available until  
2 expended, and used for such purposes: *Provided further*,  
3 That the Secretary of Defense may waive a provision of  
4 law relating to the acquisition of items and support serv-  
5 ices or sections 40 and 40A of the Arms Export Control  
6 Act (22 U.S.C. 2780 and 2785) if the Secretary deter-  
7 mines that such provision of law would prohibit, restrict,  
8 delay or otherwise limit the provision of such assistance  
9 and a notice of and justification for such waiver is sub-  
10 mitted to the congressional defense committees, the Com-  
11 mittees on Appropriations and Foreign Relations of the  
12 Senate and the Committees on Appropriations and For-  
13 eign Affairs of the House of Representatives: *Provided*  
14 further, That the United States may accept equipment  
15 procured using funds provided under this heading, or  
16 under the heading, “Iraq Train and Equip Fund” in prior  
17 Acts, that was transferred to security forces, irregular  
18 forces, or groups participating, or preparing to participate  
19 in activities to counter the Islamic State of Iraq and Syria  
20 and returned by such forces or groups to the United  
21 States, may be treated as stocks of the Department of De-  
22 fense upon written notification to the congressional de-  
23 fense committees: *Provided further*, That equipment pro-  
24 cured using funds provided under this heading, or under  
25 the heading, “Iraq Train and Equip Fund” in prior Acts,

1 and not yet transferred to security forces, irregular forces,  
2 or groups participating, or preparing to participate in ac-  
3 tivities to counter the Islamic State of Iraq and Syria may  
4 be treated as stocks of the Department of Defense when  
5 determined by the Secretary to no longer be required for  
6 transfer to such forces or groups and upon written notifi-  
7 cation to the congressional defense committees: *Provided*  
8 *further*, That the Secretary of Defense shall provide quar-  
9 terly reports to the congressional defense committees on  
10 the use of funds provided under this heading, including,  
11 but not limited to, the number of individuals trained, the  
12 nature and scope of support and sustainment provided to  
13 each group or individual, the area of operations for each  
14 group, and the contributions of other countries, groups,  
15 or individuals: *Provided further*, 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

### 21 AIRCRAFT PROCUREMENT, ARMY

22 For an additional amount for “Aircraft Procurement,  
23 Army”, \$420,086,000, 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 MISSILE PROCUREMENT, ARMY

5 For an additional amount for “Missile Procurement,  
6 Army”, \$559,283,000, to remain available until Sep-  
7 tember 30, 2020: *Provided*, That such amount is des-  
8 ignated by the Congress for Overseas Contingency Oper-  
9 ations/Global War on Terrorism pursuant to section  
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
11 Deficit Control Act of 1985.

12 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

13 VEHICLES, ARMY

14 For an additional amount for “Procurement of Weap-  
15 ons and Tracked Combat Vehicles, Army”,  
16 \$1,191,139,000, to remain available until September 30,  
17 2020: *Provided*, 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.

22 PROCUREMENT OF AMMUNITION, ARMY

23 For an additional amount for “Procurement of Am-  
24 muniton, Army”, \$191,836,000, to remain available until  
25 September 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 OTHER PROCUREMENT, ARMY

6 For an additional amount for “Other Procurement,  
7 Army”, \$405,575,000, 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 AIRCRAFT PROCUREMENT, NAVY

14 For an additional amount for “Aircraft Procurement,  
15 Navy”, \$157,300,000, to remain available until September  
16 30, 2020: *Provided*, That such amount is designated by  
17 the 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 WEAPONS PROCUREMENT, NAVY

22 For an additional amount for “Weapons Procure-  
23 ment, Navy”, \$152,373,000, to remain available until  
24 September 30, 2020: *Provided*, That such amount is des-  
25 ignated by the Congress for Overseas Contingency Oper-





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

4 AIRCRAFT PROCUREMENT, AIR FORCE

5 For an additional amount for “Aircraft Procurement,  
6 Air Force”, \$722,963,000, to remain available until Sep-  
7 tember 30, 2020: *Provided*, That such amount is des-  
8 ignated by the Congress for Overseas Contingency Oper-  
9 ations/Global War on Terrorism pursuant to section  
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
11 Deficit Control Act of 1985.

12 MISSILE PROCUREMENT, AIR FORCE

13 For an additional amount for “Missile Procurement,  
14 Air Force”, \$395,400,000, to remain available until Sep-  
15 tember 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 SPACE PROCUREMENT, AIR FORCE

21 For an additional amount for “Space Procurement,  
22 Air Force”, \$2,256,000, 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           PROCUREMENT OF AMMUNITION, AIR FORCE

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

11           OTHER PROCUREMENT, AIR FORCE

12           For an additional amount for “Other Procurement,  
13 Air Force”, \$3,183,490,000, to remain available until  
14 September 30, 2020: *Provided*, That such amount is des-  
15 ignated by the Congress for Overseas Contingency Oper-  
16 ations/Global War on Terrorism pursuant to section  
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
18 Deficit Control Act of 1985.

19           PROCUREMENT, DEFENSE-WIDE

20           For an additional amount for “Procurement, De-  
21 fense-Wide”, \$537,456,000, to remain available until Sep-  
22 tember 30, 2020: *Provided*, That such amount is des-  
23 ignated by the Congress for Overseas Contingency Oper-  
24 ations/Global War on Terrorism pursuant to section

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

3 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

4 For procurement of 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, \$1,500,000,000, 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 RESEARCH, DEVELOPMENT, TEST AND  
2 EVALUATION

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
4 ARMY

5 For an additional amount for “Research, Develop-  
6 ment, Test and Evaluation, Army”, \$278,368,000, to re-  
7 main available until September 30, 2019: *Provided*, That  
8 such amount is designated by the Congress for Overseas  
9 Contingency Operations/Global War on Terrorism pursu-  
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
11 and Emergency Deficit Control Act of 1985.

12 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
13 NAVY

14 For an additional amount for “Research, Develop-  
15 ment, Test and Evaluation, Navy”, \$167,565,000, to re-  
16 main available until September 30, 2019: *Provided*, That  
17 such amount is designated by the Congress for Overseas  
18 Contingency Operations/Global War on Terrorism pursu-  
19 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
20 and Emergency Deficit Control Act of 1985.

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
22 AIR FORCE

23 For an additional amount for “Research, Develop-  
24 ment, Test and Evaluation, Air Force”, \$135,358,000, to  
25 remain available until September 30, 2019: *Provided*,

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

5 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
6 DEFENSE-WIDE

7 For an additional amount for “Research, Develop-  
8 ment, Test and Evaluation, Defense-Wide”,  
9 \$330,196,000, to remain available until September 30,  
10 2019: *Provided*, That such amount is designated by the  
11 Congress for Overseas Contingency Operations/Global  
12 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
13 the Balanced Budget and Emergency Deficit Control Act  
14 of 1985.

15 REVOLVING AND MANAGEMENT FUNDS

16 DEFENSE WORKING CAPITAL FUNDS

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

## 1 OTHER DEPARTMENT OF DEFENSE PROGRAMS

## 2 DEFENSE HEALTH PROGRAM

3 For an additional amount for “Defense Health Pro-  
4 gram”, \$395,805,000, which shall be for operation and  
5 maintenance: *Provided*, That such amount is designated  
6 by the Congress for Overseas Contingency Operations/  
7 Global War on Terrorism pursuant to section  
8 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
9 Deficit Control Act of 1985.

## 10 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

## 11 DEFENSE

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

## 18 OFFICE OF THE INSPECTOR GENERAL

19 For an additional amount for the “Office of the In-  
20 spector General”, \$24,692,000: *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           GENERAL PROVISIONS—THIS TITLE

2           SEC. 9001. Notwithstanding any other provision of  
3 law, funds made available in this title are in addition to  
4 amounts appropriated or otherwise made available for the  
5 Department of Defense for fiscal year 2018.

6                           (INCLUDING TRANSFER OF FUNDS)

7           SEC. 9002. Upon the determination of the Secretary  
8 of Defense that such action is necessary in the national  
9 interest, the Secretary may, with the approval of the Of-  
10 fice of Management and Budget, transfer up to  
11 \$2,000,000,000 between the appropriations or funds made  
12 available to the Department of Defense in this title: *Pro-*  
13 *vided*, That the Secretary shall notify the Congress  
14 promptly of each transfer made pursuant to the authority  
15 in this section: *Provided further*, That the authority pro-  
16 vided in this section is in addition to any other transfer  
17 authority available to the Department of Defense and is  
18 subject to the same terms and conditions as the authority  
19 provided in section 8005 of this Act.

20           SEC. 9003. Supervision and administration costs and  
21 costs for design during construction associated with a con-  
22 struction project funded with appropriations available for  
23 operation and maintenance or the “Afghanistan Security  
24 Forces Fund” provided in this Act and executed in direct  
25 support of overseas contingency operations in Afghani-

1 stan, may be obligated at the time a construction contract  
2 is awarded: *Provided*, That, for the purpose of this section,  
3 supervision and administration costs and costs for design  
4 during construction include all in-house Government costs.

5 SEC. 9004. From funds made available in this title,  
6 the Secretary of Defense may purchase for use by military  
7 and civilian employees of the Department of Defense in  
8 the United States Central Command area of responsi-  
9 bility: (1) passenger motor vehicles up to a limit of  
10 \$75,000 per vehicle; and (2) heavy and light armored vehi-  
11 cles for the physical security of personnel or for force pro-  
12 tection purposes up to a limit of \$450,000 per vehicle, not-  
13 withstanding price or other limitations applicable to the  
14 purchase of passenger carrying vehicles.

15 SEC. 9005. Not to exceed \$5,000,000 of the amounts  
16 appropriated by this title under the heading “Operation  
17 and Maintenance, Army” may be used, notwithstanding  
18 any other provision of law, to fund the Commanders’  
19 Emergency Response Program (CERP), for the purpose  
20 of enabling military commanders in Afghanistan to re-  
21 spond to urgent, small-scale, humanitarian relief and re-  
22 construction requirements within their areas of responsi-  
23 bility: *Provided*, That each project (including any ancillary  
24 or related elements in connection with such project) exe-  
25 cuted under this authority shall not exceed \$2,000,000:



1 *Provided further*, That not later than 45 days after the  
2 end of each 6 months of the fiscal year, the Secretary of  
3 Defense shall submit to the congressional defense commit-  
4 tees a report regarding the source of funds and the alloca-  
5 tion and use of funds during that 6-month period that  
6 were made available pursuant to the authority provided  
7 in this section or under any other provision of law for the  
8 purposes described herein: *Provided further*, That, not  
9 later than 30 days after the end of each fiscal year quar-  
10 ter, the Army shall submit to the congressional defense  
11 committees quarterly commitment, obligation, and expend-  
12 iture data for the CERP in Afghanistan: *Provided further*,  
13 That, not less than 15 days before making funds available  
14 pursuant to the authority provided in this section or under  
15 any other provision of law for the purposes described here-  
16 in for a project with a total anticipated cost for completion  
17 of \$500,000 or more, the Secretary shall submit to the  
18 congressional defense committees a written notice con-  
19 taining each of the following:

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

24           (2) The budget, implementation timeline with  
25           milestones, and completion date for the proposed

1 project, including any other CERP funding that has  
2 been or is anticipated to be contributed to the com-  
3 pletion of the project.

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

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

23 SEC. 9007. None of the funds appropriated or other-  
24 wise made available by this or any other Act shall be obli-

1 gated or expended by the United States Government for  
2 a purpose as follows:

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

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

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

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

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

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

1       eral Regulations, and part 95 of title 22, Code of  
2       Federal Regulations.

3           (3) Sections 1002 and 1003 of the Department  
4       of Defense, Emergency Supplemental Appropriations  
5       to Address Hurricanes in the Gulf of Mexico, and  
6       Pandemic Influenza Act, 2006 (Public Law 109–  
7       148).

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

22      SEC. 9010. Funds made available in this title to the  
23      Department of Defense for operation and maintenance  
24      may be used to purchase items having an investment unit  
25      cost of not more than \$250,000: *Provided*, That, upon de-

1 termination by the Secretary of Defense that such action  
2 is necessary to meet the operational requirements of a  
3 Commander of a Combatant Command engaged in contin-  
4 gency operations overseas, such funds may be used to pur-  
5 chase items having an investment item unit cost of not  
6 more than \$500,000.

7       SEC. 9011. (a) None of the funds appropriated or  
8 otherwise made available by this Act under the heading  
9 “Operation and Maintenance, Defense-Wide” for pay-  
10 ments under section 1233 of Public Law 110–181 for re-  
11 imbursement to the Government of Pakistan may be made  
12 available unless the Secretary of Defense, in coordination  
13 with the Secretary of State, certifies to the congressional  
14 defense committees that the Government of Pakistan is—

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

24           (2) not supporting terrorist activities against  
25 United States or coalition forces in Afghanistan, and

1 Pakistan's military and intelligence agencies are not  
2 intervening extra-judicially into political and judicial  
3 processes in Pakistan;

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

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

9 (5) implementing policies to protect judicial  
10 independence and due process of law;

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

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

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

1 ments of this section that the Government of Pakistan was  
2 not able to meet: *Provided further*, That such report may  
3 be submitted in classified form if necessary.

4 SEC. 9012. None of the funds in this Act may be  
5 made available for the transfer of additional C-130 cargo  
6 aircraft to the Afghanistan National Security Forces or  
7 the Afghanistan Air Force until the Department of De-  
8 fense provides a report to the congressional defense com-  
9 mittees of the Afghanistan Air Force's medium airlift re-  
10 quirements. The report should identify Afghanistan's abil-  
11 ity to utilize and maintain existing medium lift aircraft  
12 in the inventory and the best alternative platform, if nec-  
13 essary, to provide additional support to the Afghanistan  
14 Air Force's current medium airlift capacity.

15 (RESCISSIONS)

16 SEC. 9013. Of the funds appropriated in Department  
17 of Defense Appropriations Acts, the following funds are  
18 hereby rescinded from the following accounts and pro-  
19 grams in the specified amounts: *Provided*, That such  
20 amounts are designated by the Congress for Overseas  
21 Contingency Operations/Global War on Terrorism pursu-  
22 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
23 and Emergency Deficit Control Act of 1985:

24 "Operation and Maintenance, Defense-Wide,  
25 Coalition Support Fund", 2017/2018, \$400,000,000;

1           “Operation and Maintenance, Defense-Wide,  
2       DSCA Security Cooperation”, 2017/2018,  
3       \$250,000,000;

4           “Counter-ISIL Train and Equip Fund”, 2017/  
5       2018, \$61,700,000;

6           “Counter-ISIL Overseas Contingency Oper-  
7       ations Transfer Fund”, XXXX, \$1,610,000,000;  
8       and

9           “Other Procurement, Air Force”, 2016/2018,  
10       \$24,300,000.

11                       (INCLUDING TRANSFER OF FUNDS)

12       SEC. 9014. (a) The Joint Improvised Explosives De-  
13       vices Defeat Fund is hereby terminated, effective as of the  
14       date of the enactment of this Act.

15       (b)(1) Any unobligated balances in the Joint Impro-  
16       vised Explosives Devices Defeat Fund as of the date of  
17       the enactment of this Act shall, notwithstanding any pro-  
18       vision of subchapter IV of chapter 15 of title 31, United  
19       States Code, or the procedures under such subchapter, be  
20       transferred to “Operation and Maintenance, Defense-  
21       wide”, and shall be available for purposes consistent with,  
22       and subject to conditions and limitations otherwise appli-  
23       cable to amounts previously appropriated in, the Joint Im-  
24       proved Explosives Devices Defeat Fund.





1 ation and maintenance accounts of the Army, Navy, Ma-  
2 rine Corps, and Air Force (including National Guard and  
3 Reserve) for purposes of improving military readiness:  
4 *Provided*, That the transfer authority provided under this  
5 provision is in addition to any other transfer authority  
6 provided elsewhere in this Act: *Provided further*, That such  
7 amount is designated by the Congress for Overseas Con-  
8 tingency Operations/Global War on Terrorism pursuant to  
9 section 251(b)(2)(A)(ii) of the Balanced Budget and  
10 Emergency Deficit Control Act of 1985.

11 SEC. 9017. Each amount designated in this Act by  
12 the Congress for Overseas Contingency Operations/Global  
13 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
14 the Balanced Budget and Emergency Deficit Control Act  
15 of 1985 shall be available (or rescinded, if applicable) only  
16 if the President subsequently so designates all such  
17 amounts and transmits such designations to the Congress.

## 18 TITLE X

### 19 MISSILE DEFEAT AND DEFENSE

#### 20 ENHANCEMENTS

#### 21 OPERATION AND MAINTENANCE

#### 22 OPERATION AND MAINTENANCE, NAVY

23 For an additional amount for “Operation and Main-  
24 tenance, Navy”, \$673,500,000: *Provided*, That such  
25 amount is designated by the Congress as an emergency

1 requirement pursuant to section 251(b)(2)(A)(i) of the  
2 Balanced Budget and Emergency Deficit Control Act of  
3 1985.

4 OPERATION AND MAINTENANCE, AIR FORCE

5 For an additional amount for “Operation and Main-  
6 tenance, Air Force”, \$18,750,000: *Provided*, That such  
7 amount is designated by the Congress as an emergency  
8 requirement pursuant to section 251(b)(2)(A)(i) of the  
9 Balanced Budget and Emergency Deficit Control Act of  
10 1985.

11 OPERATION AND MAINTENANCE, DEFENSE-WIDE

12 For an additional amount for “Operation and Main-  
13 tenance, Defense-Wide”, \$23,735,000: *Provided*, That  
14 such amount is designated by the Congress as an emer-  
15 gency requirement pursuant to section 251(b)(2)(A)(i) of  
16 the Balanced Budget and Emergency Deficit Control Act  
17 of 1985.

18 PROCUREMENT

19 MISSILE PROCUREMENT, ARMY

20 For an additional amount for “Missile Procurement,  
21 Army”, \$884,000,000, to remain available until Sep-  
22 tember 30, 2020: *Provided*, That such amount is des-  
23 ignated by the Congress as an emergency requirement  
24 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
25 et and Emergency Deficit Control Act of 1985.

## 1 MISSILE PROCUREMENT, AIR FORCE

2 For an additional amount for “Missile Procurement,  
3 Air Force”, \$12,000,000 to remain available until Sep-  
4 tember 30, 2020: *Provided*, That such amount is des-  
5 ignated by the Congress as an emergency requirement  
6 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
7 et and Emergency Deficit Control Act of 1985.

## 8 OTHER PROCUREMENT, AIR FORCE

9 For an additional amount for “Other Procurement,  
10 Air Force”, \$288,055,000 to remain available until Sep-  
11 tember 30, 2020: *Provided*, That such amount is des-  
12 ignated by the Congress as an emergency requirement  
13 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
14 et and Emergency Deficit Control Act of 1985.

## 15 PROCUREMENT, DEFENSE-WIDE

16 For an additional amount for “Procurement, De-  
17 fense-Wide”, \$1,239,140,000 to remain available until  
18 September 30, 2020: *Provided*, That such amount is des-  
19 ignated by the Congress as an emergency requirement  
20 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
21 et and Emergency Deficit Control Act of 1985.

1 RESEARCH, DEVELOPMENT, TEST AND  
2 EVALUATION

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
4 ARMY

5 For an additional amount for “Research, Develop-  
6 ment, Test and Evaluation, Army”, \$20,700,000 to re-  
7 main available until September 30, 2019: *Provided*, That  
8 such amount is designated by the Congress as an emer-  
9 gency requirement pursuant to section 251(b)(2)(A)(i) of  
10 the Balanced Budget and Emergency Deficit Control Act  
11 of 1985.

12 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
13 NAVY

14 For an additional amount for “Research, Develop-  
15 ment, Test and Evaluation, Navy”, \$60,000,000 to re-  
16 main available until September 30, 2019: *Provided*, That  
17 such amount is designated by the Congress as an emer-  
18 gency requirement pursuant to section 251(b)(2)(A)(i) of  
19 the Balanced Budget and Emergency Deficit Control Act  
20 of 1985.

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
22 AIR FORCE

23 For an additional amount for “Research, Develop-  
24 ment, Test and Evaluation, Air Force”, \$255,744,000 to  
25 remain available until September 30, 2019: *Provided*,

1 That such amount is designated by the Congress as an  
2 emergency requirement pursuant to section  
3 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
4 Deficit Control Act of 1985.

5 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
6 DEFENSE-WIDE

7 For an additional amount for “Research, Develop-  
8 ment, Test and Evaluation, Defense-Wide”,  
9 \$1,010,220,000 to remain available until September 30,  
10 2019: *Provided*, That such amount is designated by the  
11 Congress as an emergency requirement pursuant to sec-  
12 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
13 gency Deficit Control Act of 1985.

14 GENERAL PROVISIONS—THIS TITLE

15 SEC. 10001. Notwithstanding any other provision of  
16 law, funds made available in this title are in addition to  
17 amounts appropriated or otherwise made available for the  
18 Department of Defense for fiscal year 2018.

19 SEC. 10002. Each amount designated in this Act by  
20 the Congress as an emergency requirement pursuant to  
21 section 251(b)(2)(A)(i) of the Balanced Budget and  
22 Emergency Deficit Control Act of 1985 shall be available  
23 only if the President subsequently so designates all such  
24 amounts and transmits such designations to the Congress.

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

[COMMITTEE PRINT]

Calendar No. 000

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

**S. 0000**

[Report No. 115-000]

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## **A BILL**

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

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\_\_\_\_\_, 2017

Read twice and placed on the calendar