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1ST SESSION

H. R. 3219

IN THE SENATE OF THE UNITED STATES

JULY 31, 2017

Received; read the first time

AUGUST 1, 2017

Read the second time and placed on the calendar

AN ACT

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 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Defense, Military Con-
5 struction, Veterans Affairs, Legislative Branch, and En-
6 ergy and Water Development National Security Appro-
7 priations Act, 2018”.

1 **SEC. 2. ADDITIONAL REFERENCE.**

2 This Act may also be referred to as the “Make Amer-
3 ica Secure Appropriations Act, 2018”.

4 **DIVISION A—DEPARTMENT OF DEFENSE**
5 **APPROPRIATIONS ACT, 2018**

6 The following sums are appropriated, out of any
7 money in the Treasury not otherwise appropriated, for the
8 fiscal year ending September 30, 2018, for military func-
9 tions administered by the Department of Defense and for
10 other purposes, namely:

11 **TITLE I**

12 **MILITARY PERSONNEL**

13 **MILITARY PERSONNEL, ARMY**

14 For pay, allowances, individual clothing, subsistence,
15 interest on deposits, gratuities, permanent change of sta-
16 tion travel (including all expenses thereof for organiza-
17 tional movements), and expenses of temporary duty travel
18 between permanent duty stations, for members of the
19 Army on active duty (except members of reserve compo-
20 nents provided for elsewhere), cadets, and aviation cadets;
21 for members of the Reserve Officers’ Training Corps; and
22 for payments pursuant to section 156 of Public Law 97–
23 377, as amended (42 U.S.C. 402 note), and to the Depart-
24 ment of Defense Military Retirement Fund,
25 \$41,427,054,000.

1 MILITARY PERSONNEL, NAVY

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

14 MILITARY PERSONNEL, MARINE CORPS

15 For pay, allowances, individual clothing, subsistence,
16 interest on deposits, gratuities, permanent change of sta-
17 tion travel (including all expenses thereof for organiza-
18 tional movements), and expenses of temporary duty travel
19 between permanent duty stations, for members of the Ma-
20 rine Corps on active duty (except members of the Reserve
21 provided for elsewhere); and for payments pursuant to sec-
22 tion 156 of Public Law 97-377, as amended (42 U.S.C.
23 402 note), and to the Department of Defense Military Re-
24 tirement Fund, \$13,165,714,000.

1 MILITARY PERSONNEL, AIR FORCE

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

14 RESERVE PERSONNEL, ARMY

15 For pay, allowances, clothing, subsistence, gratuities,
16 travel, and related expenses for personnel of the Army Re-
17 serve on active duty under sections 10211, 10302, and
18 3038 of title 10, United States Code, or while serving on
19 active duty under section 12301(d) of title 10, United
20 States Code, in connection with performing duty specified
21 in section 12310(a) of title 10, United States Code, or
22 while undergoing reserve training, or while performing
23 drills or equivalent duty or other duty, and expenses au-
24 thorized by section 16131 of title 10, United States Code;

1 and for payments to the Department of Defense Military
2 Retirement Fund, \$4,721,128,000.

3 RESERVE PERSONNEL, NAVY

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

16 RESERVE PERSONNEL, MARINE CORPS

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

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

5 RESERVE PERSONNEL, AIR FORCE

6 For pay, allowances, clothing, subsistence, gratuities,
7 travel, and related expenses for personnel of the Air Force
8 Reserve on active duty under sections 10211, 10305, and
9 8038 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, \$1,808,434,000.

18 NATIONAL GUARD PERSONNEL, ARMY

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

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

7 NATIONAL GUARD PERSONNEL, AIR FORCE

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

21 TITLE II

22 OPERATION AND MAINTENANCE

23 OPERATION AND MAINTENANCE, ARMY

24 For expenses, not otherwise provided for, necessary
25 for the operation and maintenance of the Army, as author-

1 ized by law, \$38,483,846,000 (reduced by \$5,000,000)
2 (reduced by \$5,600,000) (reduced by \$6,000,000): *Pro-*
3 *vided*, That not to exceed \$12,478,000 can be used for
4 emergencies and extraordinary expenses, to be expended
5 on the approval or authority of the Secretary of the Army,
6 and payments may be made on his certificate of necessity
7 for confidential military purposes.

8 OPERATION AND MAINTENANCE, NAVY

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

18 OPERATION AND MAINTENANCE, MARINE CORPS

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

22 OPERATION AND MAINTENANCE, AIR FORCE

23 For expenses, not otherwise provided for, necessary
24 for the operation and maintenance of the Air Force, as
25 authorized by law, \$38,592,745,000: *Provided*, That not

1 to exceed \$7,699,000 can be used for emergencies and ex-
 2 traordinary expenses, to be expended on the approval or
 3 authority of the Secretary of the Air Force, and payments
 4 may be made on his certificate of necessity for confidential
 5 military purposes.

6 OPERATION AND MAINTENANCE, DEFENSE-WIDE

7 (INCLUDING TRANSFER OF FUNDS)

8 For expenses, not otherwise provided for, necessary
 9 for the operation and maintenance of activities and agen-
 10 cies of the Department of Defense (other than the military
 11 departments), as authorized by law, \$33,771,769,000 (in-
 12 creased by \$5,000,000) (reduced by \$10,000,000) (re-
 13 duced by \$100,000) (increased by \$100,000) (reduced by
 14 \$194,897,000) (increased by \$194,897,000) (reduced by
 15 \$26,200,000) (reduced by \$20,000,000) (reduced by
 16 \$6,000,000) (reduced by \$4,000,000) (reduced by
 17 \$20,000,000) (reduced by \$1,000,000) (reduced by
 18 \$10,000,000) (reduced by \$2,500,000) (reduced by
 19 \$2,000,000) (reduced by \$8,000,000) (reduced by
 20 \$6,250,000) (reduced by \$10,000,000) (reduced by
 21 \$10,000,000) (reduced by \$30,000,000) (reduced by
 22 \$34,734,000) (reduced by \$60,000,000): *Provided*, That
 23 not more than \$15,000,000 may be used for the Combat-
 24 ant Commander Initiative Fund authorized under section
 25 166a of title 10, United States Code: *Provided further*,

1 That not to exceed \$36,000,000 can be used for emer-
2 gencies and extraordinary expenses, to be expended on the
3 approval or authority of the Secretary of Defense, and
4 payments may be made on his certificate of necessity for
5 confidential military purposes: *Provided further*, That of
6 the funds provided under this heading, not less than
7 \$38,458,000 shall be made available for the Procurement
8 Technical Assistance Cooperative Agreement Program, of
9 which not less than \$3,600,000 shall be available for cen-
10 ters defined in 10 U.S.C. 2411(1)(D): *Provided further*,
11 That none of the funds appropriated or otherwise made
12 available by this Act may be used to plan or implement
13 the consolidation of a budget or appropriations liaison of-
14 fice of the Office of the Secretary of Defense, the office
15 of the Secretary of a military department, or the service
16 headquarters of one of the Armed Forces into a legislative
17 affairs or legislative liaison office: *Provided further*, That
18 \$9,385,000, to remain available until expended, is avail-
19 able only for expenses relating to certain classified activi-
20 ties, and may be transferred as necessary by the Secretary
21 of Defense to operation and maintenance appropriations
22 or research, development, test and evaluation appropria-
23 tions, to be merged with and to be available for the same
24 time period as the appropriations to which transferred:
25 *Provided further*, That any ceiling on the investment item

1 unit cost of items that may be purchased with operation
2 and maintenance funds shall not apply to the funds de-
3 scribed in the preceding proviso: *Provided further*, That
4 of the funds provided under this heading, \$415,000,000,
5 of which \$100,000,000 to remain available until Sep-
6 tember 30, 2019, shall be available to provide support and
7 assistance to foreign security forces or other groups or in-
8 dividuals to conduct, support or facilitate counterter-
9 rorism, crisis response, or other Department of Defense
10 security cooperation programs: *Provided further*, That the
11 transfer authority provided under this heading is in addi-
12 tion to any other transfer authority provided elsewhere in
13 this Act.

14 OPERATION AND MAINTENANCE, ARMY RESERVE

15 For expenses, not otherwise provided for, necessary
16 for the operation and maintenance, including training, or-
17 ganization, and administration, of the Army Reserve; re-
18 pair of facilities and equipment; hire of passenger motor
19 vehicles; travel and transportation; care of the dead; re-
20 cruiting; procurement of services, supplies, and equip-
21 ment; and communications, \$2,870,163,000.

22 OPERATION AND MAINTENANCE, NAVY RESERVE

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

1 pair of facilities and equipment; hire of passenger motor
2 vehicles; travel and transportation; care of the dead; re-
3 cruiting; procurement of services, supplies, and equip-
4 ment; and communications, \$1,038,507,000.

5 OPERATION AND MAINTENANCE, MARINE CORPS
6 RESERVE

7 For expenses, not otherwise provided for, necessary
8 for the operation and maintenance, including training, or-
9 ganization, and administration, of the Marine Corps Re-
10 serve; repair of facilities and equipment; hire of passenger
11 motor vehicles; travel and transportation; care of the dead;
12 recruiting; procurement of services, supplies, and equip-
13 ment; and communications, \$282,337,000.

14 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

15 For expenses, not otherwise provided for, necessary
16 for the operation and maintenance, including training, or-
17 ganization, and administration, of the Air Force Reserve;
18 repair of facilities and equipment; hire of passenger motor
19 vehicles; travel and transportation; care of the dead; re-
20 cruiting; procurement of services, supplies, and equip-
21 ment; and communications, \$3,233,745,000.

22 OPERATION AND MAINTENANCE, ARMY NATIONAL
23 GUARD

24 For expenses of training, organizing, and admin-
25 istering the Army National Guard, including medical and

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

14 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

1 authorized by law for Air National Guard personnel on
2 active Federal duty, for Air National Guard commanders
3 while inspecting units in compliance with National Guard
4 Bureau regulations when specifically authorized by the
5 Chief, National Guard Bureau, \$6,735,930,000.

6 UNITED STATES COURT OF APPEALS FOR THE ARMED
7 FORCES

8 For salaries and expenses necessary for the United
9 States Court of Appeals for the Armed Forces,
10 \$14,538,000, of which not to exceed \$5,000 may be used
11 for official representation purposes.

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

14 For the Department of the Army, \$215,809,000, to
15 remain available until transferred: *Provided*, That the Sec-
16 retary of the Army shall, upon determining that such
17 funds are required for environmental restoration, reduc-
18 tion and recycling of hazardous waste, removal of unsafe
19 buildings and debris of the Department of the Army, or
20 for similar purposes, transfer the funds made available by
21 this appropriation to other appropriations made available
22 to the Department of the Army, to be merged with and
23 to be available for the same purposes and for the same
24 time period as the appropriations to which transferred:
25 *Provided further*, That upon a determination that all or

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

7 ENVIRONMENTAL RESTORATION, NAVY

8 (INCLUDING TRANSFER OF FUNDS)

9 For the Department of the Navy, \$288,915,000 (in-
10 creased by \$34,734,000) (increased by \$30,000,000), to
11 remain available until transferred: *Provided*, That the Sec-
12 retary of the Navy shall, upon determining that such
13 funds are required for environmental restoration, reduc-
14 tion and recycling of hazardous waste, removal of unsafe
15 buildings and debris of the Department of the Navy, or
16 for similar purposes, transfer the funds made available by
17 this appropriation to other appropriations made available
18 to the Department of the Navy, to be merged with and
19 to be available for the same purposes and for the same
20 time period as the appropriations to which transferred:
21 *Provided further*, That upon a determination that all or
22 part of the funds transferred from this appropriation are
23 not necessary for the purposes provided herein, such
24 amounts may be transferred back to this appropriation:
25 *Provided further*, That the transfer authority provided

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

3 ENVIRONMENTAL RESTORATION, AIR FORCE
4 (INCLUDING TRANSFER OF FUNDS)

5 For the Department of the Air Force, \$308,749,000
6 (increased by \$30,000,000), to remain available until
7 transferred: *Provided*, That the Secretary of the Air Force
8 shall, upon determining that such funds are required for
9 environmental restoration, reduction and recycling of haz-
10 ardous waste, removal of unsafe buildings and debris of
11 the Department of the Air Force, or for similar purposes,
12 transfer the funds made available by this appropriation
13 to other appropriations made available to the Department
14 of the Air Force, to be merged with and to be available
15 for the same purposes and for the same time period as
16 the appropriations to which transferred: *Provided further*,
17 That upon a determination that all or part of the funds
18 transferred from this appropriation are not necessary for
19 the purposes provided herein, such amounts may be trans-
20 ferred back to this appropriation: *Provided further*, That
21 the transfer authority provided under this heading is in
22 addition to any other transfer authority provided else-
23 where in this Act.

1 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
2 (INCLUDING TRANSFER OF FUNDS)

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

21 ENVIRONMENTAL RESTORATION, FORMERLY USED
22 DEFENSE SITES
23 (INCLUDING TRANSFER OF FUNDS)

24 For the Department of the Army, \$233,673,000, 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), \$107,900,000, to remain available
23 until September 30, 2018.

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, 2019.

8 OPERATION AND MAINTENANCE, NATIONAL DEFENSE
9 RESTORATION FUND

10 (INCLUDING TRANSFER OF FUNDS)

11 In addition to amounts provided elsewhere in this
12 Act, there is appropriated \$5,000,000,000, for the “Oper-
13 ation and Maintenance, National Defense Restoration
14 Fund”: *Provided*, That such funds provided under this
15 heading shall only be available for programs, projects and
16 activities necessary to implement the 2018 National De-
17 fense Strategy: *Provided further*, That such funds shall not
18 be available for transfer until 30 days after the Secretary
19 has submitted, and the congressional defense committees
20 have approved, the proposed allocation plan for the use
21 of such funds to implement such strategy: *Provided fur-*
22 *ther*, That such allocation plan shall include a detailed jus-
23 tification for the use of such funds and a description of
24 how such investments are necessary to implement the
25 strategy: *Provided further*, That the Secretary of Defense

1 may transfer these funds only to operation and mainte-
2 nance accounts: *Provided further*, That the funds trans-
3 ferred shall be merged with and shall be available for the
4 same purposes and for the same time period, as the appro-
5 priation to which transferred: *Provided further*, That none
6 of the funds made available under this heading may be
7 transferred to any program, project, or activity specifically
8 limited or denied by this Act: *Provided further*, That the
9 transfer authority provided under this heading is in addi-
10 tion to any other transfer authority available to the De-
11 partment of Defense.

12 TITLE III

13 PROCUREMENT

14 AIRCRAFT PROCUREMENT, ARMY

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

1 equipment layaway; and other expenses necessary for the
2 foregoing purposes, \$4,456,533,000, to remain available
3 for obligation until September 30, 2020.

4 MISSILE PROCUREMENT, ARMY

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

19 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

20 VEHICLES, ARMY

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

1 necessary therefor, for the foregoing purposes, and such
2 lands and interests therein, may be acquired, and con-
3 struction prosecuted thereon prior to approval of title; and
4 procurement and installation of equipment, appliances,
5 and machine tools in public and private plants; reserve
6 plant and Government and contractor-owned equipment
7 layaway; and other expenses necessary for the foregoing
8 purposes, \$3,556,175,000, to remain available for obliga-
9 tion until September 30, 2020.

10 PROCUREMENT OF AMMUNITION, ARMY

11 For construction, procurement, production, and
12 modification of ammunition, and accessories therefor; spe-
13 cialized equipment and training devices; expansion of pub-
14 lic and private plants, including ammunition facilities, au-
15 thorized by section 2854 of title 10, United States Code,
16 and the land necessary therefor, for the foregoing pur-
17 poses, and such lands and interests therein, may be ac-
18 quired, and construction prosecuted thereon prior to ap-
19 proval of title; and procurement and installation of equip-
20 ment, appliances, and machine tools in public and private
21 plants; reserve plant and Government and contractor-
22 owned equipment layaway; and other expenses necessary
23 for the foregoing purposes, \$1,811,808,000, to remain
24 available for obligation until September 30, 2020.

1 OTHER PROCUREMENT, ARMY

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

19 AIRCRAFT PROCUREMENT, NAVY

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

1 thereon prior to approval of title; and procurement and
2 installation of equipment, appliances, and machine tools
3 in public and private plants; reserve plant and Govern-
4 ment and contractor-owned equipment layaway,
5 \$17,908,270,000, to remain available for obligation until
6 September 30, 2020.

7 WEAPONS PROCUREMENT, NAVY

8 For construction, procurement, production, modifica-
9 tion, and modernization of missiles, torpedoes, other weap-
10 ons, and related support equipment including spare parts,
11 and accessories therefor; expansion of public and private
12 plants, including the land necessary therefor, and such
13 lands and interests therein, may be acquired, and con-
14 struction prosecuted thereon prior to approval of title; and
15 procurement and installation of equipment, appliances,
16 and machine tools in public and private plants; reserve
17 plant and Government and contractor-owned equipment
18 layaway, \$3,387,826,000 (increased by \$26,200,000), to
19 remain available for obligation until September 30, 2020.

20 PROCUREMENT OF AMMUNITION, NAVY AND MARINE

21 CORPS

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

1 thorized by section 2854 of title 10, United States Code,
2 and the land necessary therefor, for the foregoing pur-
3 poses, and such lands and interests therein, may be ac-
4 quired, and construction prosecuted thereon prior to ap-
5 proval of title; and procurement and installation of equip-
6 ment, appliances, and machine tools in public and private
7 plants; reserve plant and Government and contractor-
8 owned equipment layaway; and other expenses necessary
9 for the foregoing purposes, \$735,651,000, to remain avail-
10 able for obligation until September 30, 2020.

11 SHIPBUILDING AND CONVERSION, NAVY

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

24 Ohio Replacement Submarine (AP),
25 \$842,853,000;

1 Carrier Replacement Program, \$1,869,646,000;
2 Carrier Replacement Program (AP),
3 \$2,561,058,000;
4 Virginia Class Submarine, \$3,305,315,000;
5 Virginia Class Submarine (AP),
6 \$1,920,596,000;
7 CVN Refueling Overhauls, \$1,569,669,000;
8 CVN Refueling Overhauls (AP), \$75,897,000;
9 DDG-1000 Program, \$164,976,000;
10 DDG-51 Destroyer, \$3,499,079,000;
11 DDG-51 Destroyer (AP), \$90,336,000;
12 Littoral Combat Ship, \$1,566,971,000;
13 Expeditionary Sea Base, \$635,000,000;
14 LHA Replacement, \$1,695,077,000;
15 TAO Fleet Oiler, \$449,415,000;
16 TAO Fleet Oiler (AP), \$75,068,000;
17 Ship to Shore Connector, \$390,554,000;
18 Service Craft, \$23,994,000;
19 Towing, Salvage, and Rescue Ship,
20 \$76,204,000;
21 LCU 1700, \$31,850,000;
22 For outfitting, post delivery, conversions, and
23 first destination transportation, \$542,626,000; and
24 Completion of Prior Year Shipbuilding Pro-
25 grams, \$117,542,000.

1 In all: \$21,503,726,000, to remain available for obli-
2 gation until September 30, 2022: *Provided*, That addi-
3 tional obligations may be incurred after September 30,
4 2022, for engineering services, tests, evaluations, and
5 other such budgeted work that must be performed in the
6 final stage of ship construction: *Provided further*, That
7 none of the funds provided under this heading for the con-
8 struction or conversion of any naval vessel to be con-
9 structed in shipyards in the United States shall be ex-
10 pended in foreign facilities for the construction of major
11 components of such vessel: *Provided further*, That none
12 of the funds provided under this heading shall be used
13 for the construction of any naval vessel in foreign ship-
14 yards: *Provided further*, That funds appropriated or other-
15 wise made available by this Act for production of the com-
16 mon missile compartment of nuclear-powered vessels may
17 be available for multiyear procurement of critical compo-
18 nents to support continuous production of such compart-
19 ments only in accordance with the provisions of subsection
20 (i) of section 2218a of title 10, United States Code (as
21 added by section 1023 of the National Defense Authoriza-
22 tion Act for Fiscal Year 2017 (Public Law 114–328)).

23 OTHER PROCUREMENT, NAVY

24 For procurement, production, and modernization of
25 support equipment and materials not otherwise provided

1 for, Navy ordnance (except ordnance for new aircraft, new
2 ships, and ships authorized for conversion); the purchase
3 of passenger motor vehicles for replacement only; expan-
4 sion of public and private plants, including the land nec-
5 essary therefor, and such lands and interests therein, may
6 be acquired, and construction prosecuted thereon prior to
7 approval of title; and procurement and installation of
8 equipment, appliances, and machine tools in public and
9 private plants; reserve plant and Government and con-
10 tractor-owned equipment layaway, \$7,852,952,000, to re-
11 main available for obligation until September 30, 2020.

12 PROCUREMENT, MARINE CORPS

13 For expenses necessary for the procurement, manu-
14 facture, and modification of missiles, armament, military
15 equipment, spare parts, and accessories therefor; plant
16 equipment, appliances, and machine tools, and installation
17 thereof in public and private plants; reserve plant and
18 Government and contractor-owned equipment layaway; ve-
19 hicles for the Marine Corps, including the purchase of pas-
20 senger motor vehicles for replacement only; and expansion
21 of public and private plants, including land necessary
22 therefor, and such lands and interests therein, may be ac-
23 quired, and construction prosecuted thereon prior to ap-
24 proval of title, \$1,818,846,000 (increased by

1 \$20,000,000), to remain available for obligation until Sep-
2 tember 30, 2020.

3 AIRCRAFT PROCUREMENT, AIR FORCE

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

19 MISSILE PROCUREMENT, AIR FORCE

20 For construction, procurement, and modification of
21 missiles, rockets, and related equipment, including spare
22 parts and accessories therefor; ground handling equip-
23 ment, and training devices; expansion of public and pri-
24 vate plants, Government-owned equipment and installa-
25 tion thereof in such plants, erection of structures, and ac-

1 quisition of land, for the foregoing purposes, and such
2 lands and interests therein, may be acquired, and con-
3 struction prosecuted thereon prior to approval of title; re-
4 serve plant and Government and contractor-owned equip-
5 ment layaway; and other expenses necessary for the fore-
6 going purposes including rents and transportation of
7 things, \$2,203,101,000, to remain available for obligation
8 until September 30, 2020.

9 SPACE PROCUREMENT, AIR FORCE

10 For construction, procurement, and modification of
11 spacecraft, rockets, and related equipment, including
12 spare parts and accessories therefor; ground handling
13 equipment, and training devices; expansion of public and
14 private plants, Government-owned equipment and installa-
15 tion thereof in such plants, erection of structures, and ac-
16 quisition of land, for the foregoing purposes, and such
17 lands and interests therein, may be acquired, and con-
18 struction prosecuted thereon prior to approval of title; re-
19 serve plant and Government and contractor-owned equip-
20 ment layaway; and other expenses necessary for the fore-
21 going purposes including rents and transportation of
22 things, \$3,210,355,000, to remain available for obligation
23 until September 30, 2020.

1 PROCUREMENT OF AMMUNITION, AIR FORCE

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, \$1,316,977,000, to remain
15 available for obligation until September 30, 2020.

16 OTHER PROCUREMENT, AIR FORCE

17 For procurement and modification of equipment (in-
18 cluding ground guidance and electronic control equipment,
19 and ground electronic and communication equipment),
20 and supplies, materials, and spare parts therefor, not oth-
21 erwise provided for; the purchase of passenger motor vehi-
22 cles for replacement only; lease of passenger motor vehi-
23 cles; and expansion of public and private plants, Govern-
24 ment-owned equipment and installation thereof in such
25 plants, erection of structures, and acquisition of land, for

1 the foregoing purposes, and such lands and interests
2 therein, may be acquired, and construction prosecuted
3 thereon, prior to approval of title; reserve plant and Gov-
4 ernment and contractor-owned equipment layaway,
5 \$19,318,814,000, to remain available for obligation until
6 September 30, 2020.

7 PROCUREMENT, DEFENSE-WIDE

8 For expenses of activities and agencies of the Depart-
9 ment of Defense (other than the military departments)
10 necessary for procurement, production, and modification
11 of equipment, supplies, materials, and spare parts there-
12 for, not otherwise provided for; the purchase of passenger
13 motor vehicles for replacement only; expansion of public
14 and private plants, equipment, and installation thereof in
15 such plants, erection of structures, and acquisition of land
16 for the foregoing purposes, and such lands and interests
17 therein, may be acquired, and construction prosecuted
18 thereon prior to approval of title; reserve plant and Gov-
19 ernment and contractor-owned equipment layaway,
20 \$5,239,239,000 (reduced by \$10,000,000), to remain
21 available for obligation until September 30, 2020.

22 DEFENSE PRODUCTION ACT PURCHASES

23 For activities by the Department of Defense pursuant
24 to sections 108, 301, 302, and 303 of the Defense Produc-

tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),
\$67,401,000, to remain available until expended.

PROCUREMENT, NATIONAL DEFENSE RESTORATION
FUND
(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$12,622,931,000, for the “Procurement, National Defense Restoration Fund”: *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That the Secretary of Defense may transfer these funds only to procurement accounts: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That none of the funds made available under this

1 heading may be transferred to any program, project, or
 2 activity specifically limited or denied by this Act, except
 3 for missile defense requirements resulting from urgent or
 4 emergent operational needs: *Provided further*, That the
 5 transfer authority provided under this heading is in addi-
 6 tion to any other transfer authority available to the De-
 7 partment of Defense.

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, \$9,674,222,000 (increased by
 17 \$6,000,000) (increased by \$4,000,000) (increased by
 18 \$12,000,000) (increased by \$5,000,000), to remain avail-
 19 able for obligation until September 30, 2019.

20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

21 NAVY

22 For expenses necessary for basic and applied sci-
 23 entific research, development, test and evaluation, includ-
 24 ing maintenance, rehabilitation, lease, and operation of fa-
 25 cilities and equipment, \$17,196,521,000 (increased by

1 \$598,000) (increased by \$20,000,000) (reduced by
 2 \$2,500,000) (increased by \$24,000,000), to remain avail-
 3 able for obligation until September 30, 2019: *Provided*,
 4 That funds appropriated in this paragraph which are
 5 available for the V-22 may be used to meet unique oper-
 6 ational requirements of the Special Operations Forces.

7 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
 8 AIR FORCE

9 For expenses necessary for basic and applied sci-
 10 entific research, development, test and evaluation, includ-
 11 ing maintenance, rehabilitation, lease, and operation of fa-
 12 cilities and equipment, \$33,874,980,000 (increased by
 13 \$5,000,000) (increased by \$6,000,000) (increased by
 14 \$10,000,000) (reduced by \$30,000,000) (increased by
 15 \$30,000,000), to remain available for obligation until Sep-
 16 tember 30, 2019.

17 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
 18 DEFENSE-WIDE

19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses of activities and agencies of the Depart-
 21 ment of Defense (other than the military departments),
 22 necessary for basic and applied scientific research, devel-
 23 opment, test and evaluation; advanced research projects
 24 as may be designated and determined by the Secretary
 25 of Defense, pursuant to law; maintenance, rehabilitation,

1 lease, and operation of facilities and equipment,
2 \$20,698,353,000 (reduced by \$16,000,000) (reduced by
3 \$12,000,000) (reduced by \$2,500,000) (reduced by
4 \$12,500,000) (increased by \$20,000,000) (reduced by
5 \$20,000,000) (reduced by \$4,135,000) (increased by
6 \$4,135,000) (reduced by \$27,500,000) (increased by
7 \$10,000,000), to remain available for obligation until Sep-
8 tember 30, 2019: *Provided*, That, of the funds made avail-
9 able in this paragraph, \$250,000,000 for the Defense
10 Rapid Innovation Program shall only be available for ex-
11 penses, not otherwise provided for, to include program
12 management and oversight, to conduct research, develop-
13 ment, test and evaluation to include proof of concept dem-
14 onstration; engineering, testing, and validation; and tran-
15 sition to full-scale production: *Provided further*, That the
16 Secretary of Defense may transfer funds provided herein
17 for the Defense Rapid Innovation Program to appropria-
18 tions for research, development, test and evaluation to ac-
19 complish the purpose provided herein: *Provided further*,
20 That this transfer authority is in addition to any other
21 transfer authority available to the Department of Defense:
22 *Provided further*, That the Secretary of Defense shall, not
23 fewer than 30 days prior to making transfers from this
24 appropriation, notify the congressional defense committees
25 in writing of the details of any such transfer.

1 OPERATIONAL TEST AND EVALUATION, DEFENSE

2 For expenses, not otherwise provided for, necessary
3 for the independent activities of the Director, Operational
4 Test and Evaluation, in the direction and supervision of
5 operational test and evaluation, including initial oper-
6 ational test and evaluation which is conducted prior to,
7 and in support of, production decisions; joint operational
8 testing and evaluation; and administrative expenses in
9 connection therewith, \$210,900,000, to remain available
10 for obligation until September 30, 2019.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

12 NATIONAL DEFENSE RESTORATION FUND

13 (INCLUDING TRANSFER OF FUNDS)

14 In addition to amounts provided elsewhere in this
15 Act, there is appropriated \$1,000,000,000, for the “Re-
16 search, Development, Test and Evaluation, National De-
17 fense Restoration Fund”: *Provided*, That such funds pro-
18 vided under this heading shall only be available for pro-
19 grams, projects and activities necessary to implement the
20 2018 National Defense Strategy: *Provided further*, That
21 such funds shall not be available for transfer until 30 days
22 after the Secretary has submitted, and the congressional
23 defense committees have approved, the proposed allocation
24 plan for the use of such funds to implement such strategy:
25 *Provided further*, That such allocation plan shall include

1 a detailed justification for the use of such funds and a
2 description of how such investments are necessary to im-
3 plement the strategy: *Provided further*, That the Secretary
4 of Defense may transfer these funds only to research, de-
5 velopment, test and evaluation accounts: *Provided further*,
6 That the funds transferred shall be merged with and shall
7 be available for the same purposes and for the same time
8 period, as the appropriation to which transferred: *Pro-*
9 *vided further*, That none of the funds made available under
10 this heading may be transferred to any program, project,
11 or activity specifically limited or denied by this Act, except
12 for missile defense requirements resulting from urgent or
13 emergent operational needs: *Provided further*, That the
14 transfer authority provided under this heading is in addi-
15 tion to any other transfer authority available to the De-
16 partment of Defense.

17 TITLE V

18 REVOLVING AND MANAGEMENT FUNDS

19 DEFENSE WORKING CAPITAL FUNDS

20 For the Defense Working Capital Funds,
21 \$1,586,596,000.

1 TITLE VI

2 OTHER DEPARTMENT OF DEFENSE PROGRAMS

3 DEFENSE HEALTH PROGRAM

4 For expenses, not otherwise provided for, for medical

5 and health care programs of the Department of Defense

6 as authorized by law, \$33,931,566,000 (increased by

7 \$7,000,000) (increased by \$1,000,000) (increased by

8 \$10,000,000) (increased by \$2,000,000) (increased by

9 \$2,000,000) (increased by \$10,000,000) (increased by

10 \$5,000,000) (increased by \$10,000,000); of which

11 \$31,735,923,000 (increased by \$2,000,000) (increased by

12 \$5,000,000) shall be for operation and maintenance, of

13 which not to exceed one percent shall remain available for

14 obligation until September 30, 2019, and of which up to

15 \$15,349,700,000 may be available for contracts entered

16 into under the TRICARE program; of which

17 \$895,328,000, to remain available for obligation until Sep-

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

19 \$1,300,315,000 (increased by \$7,000,000) (increased by

20 \$1,000,000) (increased by \$10,000,000) (increased by

21 \$2,000,000) (increased by \$10,000,000) (increased by

22 \$10,000,000), to remain available for obligation until Sep-

23 tember 30, 2019, shall be for research, development, test

24 and evaluation: *Provided*, That, notwithstanding any other

25 provision of law, of the amount made available under this

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$961,732,000, of which \$104,237,000 shall be for operation and maintenance, of which no less than \$49,401,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$21,045,000 for activities on military installations and \$28,356,000, to remain available until September 30,

1 2019, to assist State and local governments; \$18,081,000
2 shall be for procurement, to remain available until Sep-
3 tember 30, 2020, of which \$18,081,000 shall be for the
4 Chemical Stockpile Emergency Preparedness Program to
5 assist State and local governments; and \$839,414,000, to
6 remain available until September 30, 2019, shall be for
7 research, development, test and evaluation, of which
8 \$750,700,000 shall only be for the Assembled Chemical
9 Weapons Alternatives program.

10 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
11 DEFENSE

12 (INCLUDING TRANSFER OF FUNDS)

13 For drug interdiction and counter-drug activities of
14 the Department of Defense, for transfer to appropriations
15 available to the Department of Defense for military per-
16 sonnel of the reserve components serving under the provi-
17 sions of title 10 and title 32, United States Code; for oper-
18 ation and maintenance; for procurement; and for research,
19 development, test and evaluation, \$854,814,000, of which
20 \$532,648,000 shall be for counter-narcotics support;
21 \$120,813,000 shall be for the drug demand reduction pro-
22 gram; and \$201,353,000 shall be for the National Guard
23 counter-drug program: *Provided*, That the funds appro-
24 priated under this heading shall be available for obligation
25 for the same time period and for the same purpose as the

1 appropriation to which transferred: *Provided further*, That
2 upon a determination that all or part of the funds trans-
3 ferred from this appropriation are not necessary for the
4 purposes provided herein, such amounts may be trans-
5 ferred back to this appropriation: *Provided further*, That
6 the transfer authority provided under this heading is in
7 addition to any other transfer authority contained else-
8 where in this Act.

9 OFFICE OF THE INSPECTOR GENERAL

10 For expenses and activities of the Office of the In-
11 spector General in carrying out the provisions of the In-
12 spector General Act of 1978, as amended, \$336,887,000,
13 of which \$334,087,000 shall be for operation and mainte-
14 nance, of which not to exceed \$700,000 is available for
15 emergencies and extraordinary expenses to be expended on
16 the approval or authority of the Inspector General, and
17 payments may be made on the Inspector General's certifi-
18 cate of necessity for confidential military purposes; and
19 of which \$2,800,000, to remain available until September
20 30, 2019, shall be for research, development, test and eval-
21 uation.

1 TITLE VII

2 RELATED AGENCIES

3 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

4 DISABILITY SYSTEM FUND

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

10 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

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

13 TITLE VIII

14 GENERAL PROVISIONS

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

18 SEC. 8002. During the current fiscal year, provisions
19 of law prohibiting the payment of compensation to, or em-
20 ployment of, any person not a citizen of the United States
21 shall not apply to personnel of the Department of Defense:
22 *Provided*, That salary increases granted to direct and indi-
23 rect hire foreign national employees of the Department of
24 Defense funded by this Act shall not be at a rate in excess
25 of the percentage increase authorized by law for civilian

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

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

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

23 (TRANSFER OF FUNDS)

24 SEC. 8005. Upon determination by the Secretary of
25 Defense that such action is necessary in the national inter-

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

1 thority provided in this section shall be made prior to June
2 30, 2017: *Provided further*, That transfers among military
3 personnel appropriations shall not be taken into account
4 for purposes of the limitation on the amount of funds that
5 may be transferred under this section.

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

19 (b) Amounts specified in the referenced tables de-
20 scribed in subsection (a) shall not be treated as subdivi-
21 sions of appropriations for purposes of section 8005 of this
22 Act: *Provided*, That section 8005 shall apply when trans-
23 fers of the amounts described in subsection (a) occur be-
24 tween appropriation accounts.

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

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

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

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

18 (b) Notwithstanding section 8005 of this Act, none
19 of the funds provided in this Act shall be available for
20 reprogramming or transfer until the report identified in
21 subsection (a) is submitted to the congressional defense
22 committees, unless the Secretary of Defense certifies in
23 writing to the congressional defense committees that such
24 reprogramming or transfer is necessary as an emergency
25 requirement: *Provided*, That this subsection shall not

1 apply to transfers from the following appropriations ac-
 2 counts:

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

12 (TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

23 SEC. 8012. (a) During the current fiscal year, the
24 civilian personnel of the Department of Defense may not
25 be managed on the basis of any end-strength, and the

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

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

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

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

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

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

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

14 (TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (c) This section does not apply to—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (RESCISSIONS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 8055. Of the funds appropriated in this Act under the heading “Operation and Maintenance, Defense-Wide”, \$25,000,000 (increased by \$10,000,000) shall be for continued implementation and expansion of the Sexual Assault Special Victims’ Counsel Program: *Provided*, That the funds are made available for transfer to the Department of the Army, the Department of the Navy, and the Department of the Air Force: *Provided further*, That funds transferred shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority provided in this Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

9 SEC. 8066. In addition to amounts provided else-
10 where in this Act, \$5,000,000 (increased by \$5,000,000)
11 is hereby appropriated to the Department of Defense, to
12 remain available for obligation until expended: *Provided*,
13 That notwithstanding any other provision of law, that
14 upon the determination of the Secretary of Defense that
15 it shall serve the national interest, these funds shall be
16 available only for a grant to the Fisher House Foundation,
17 Inc., only for the construction and furnishing of additional
18 Fisher Houses to meet the needs of military family mem-
19 bers when confronted with the illness or hospitalization of
20 an eligible military beneficiary.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 8067. Of the amounts appropriated in this Act
23 under the headings “Procurement, Defense-Wide” and
24 “Research, Development, Test and Evaluation, Defense-
25 Wide”, \$705,800,000 shall be for the Israeli Cooperative

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

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

5 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 SEC. 8080. None of the funds made available by this
2 Act may be used to eliminate, restructure, or realign Army
3 Contracting Command—New Jersey or make dispropor-
4 tionate personnel reductions at any Army Contracting
5 Command—New Jersey sites without 30-day prior notifi-
6 cation to the congressional defense committees.

7 (RESCISSION)

8 SEC. 8081. Of the unobligated balances available to
9 the Department of Defense, the following funds are per-
10 manently rescinded from the following accounts and pro-
11 grams in the specified amounts to reflect excess cash bal-
12 ances in the Department of Defense Acquisition Work-
13 force Development Fund:

14 From “Department of Defense Acquisition
15 Workforce Development Fund, Defense”,
16 \$10,000,000.

SEC. 8082. None of the funds made available by this Act for excess defense articles, assistance under section 333 of title 10, United States Code, or peacekeeping operations for the countries designated annually to be in violation of the standards of the Child Soldiers Prevention Act of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1) may be used to support any military training or operation that includes child soldiers, as defined by the Child Soldiers Prevention Act of 2008, unless such assistance is other-

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

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

9 (1) creates a new start effort;

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

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

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

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

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

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

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

23 (INCLUDING TRANSFER OF FUNDS)

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

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

7 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

23 (2) the report contains proprietary information.

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

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

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

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

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

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

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

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

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

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

11 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

21 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

12 (2) is—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

cluding for the introduction of United States armed forces into hostilities in Iraq, into situations in Iraq where imminent involvement in hostilities is clearly indicated by the circumstances, or into Iraqi territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).

SEC. 8109. None of the funds provided in this Act for the T-AO Fleet Oiler or the Towing, Salvage, and Rescue Ship programs shall be used to award a new contract that provides for the acquisition of the following components unless those components are manufactured in the United States: Auxiliary equipment (including pumps) for shipboard services; propulsion equipment (including engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes.

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

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

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

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

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

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

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

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

10 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

8 (INCLUDING TRANSFER FUND)

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

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

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

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

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

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

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

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

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

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

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

1 MILITARY PERSONNEL, AIR FORCE

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

8 RESERVE PERSONNEL, ARMY

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

15 RESERVE PERSONNEL, NAVY

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

22 RESERVE PERSONNEL, MARINE CORPS

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

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

4 RESERVE PERSONNEL, AIR FORCE

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

11 NATIONAL GUARD PERSONNEL, ARMY

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

18 NATIONAL GUARD PERSONNEL, AIR FORCE

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

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

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

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

9 OPERATION AND MAINTENANCE

10 OPERATION AND MAINTENANCE, ARMY

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

17 OPERATION AND MAINTENANCE, NAVY

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

1 OPERATION AND MAINTENANCE, MARINE CORPS

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

8 OPERATION AND MAINTENANCE, AIR FORCE

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

15 OPERATION AND MAINTENANCE, DEFENSE-WIDE

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

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

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

12 OPERATION AND MAINTENANCE, ARMY RESERVE

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

19 OPERATION AND MAINTENANCE, NAVY RESERVE

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

9 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

16 OPERATION AND MAINTENANCE, ARMY NATIONAL
17 GUARD

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1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

8 OPERATION AND MAINTENANCE, NATIONAL DEFENSE

9 RESTORATION FUND

10 (INCLUDING TRANSFER OF FUNDS)

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

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

16 AFGHANISTAN SECURITY FORCES FUND

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

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

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

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

9 COUNTER-ISIL TRAIN AND EQUIP FUND

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

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

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

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

21 PROCUREMENT

22 AIRCRAFT PROCUREMENT, ARMY

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

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

5 MISSILE PROCUREMENT, ARMY

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

13 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

14 VEHICLES, ARMY

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

23 PROCUREMENT OF AMMUNITION, ARMY

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

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

6 OTHER PROCUREMENT, ARMY

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

14 AIRCRAFT PROCUREMENT, NAVY

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

22 WEAPONS PROCUREMENT, NAVY

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

For an additional amount for “Procurement of Ammunition, Navy and Marine Corps”, \$223,843,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

15 For an additional amount for “Other Procurement,
16 Navy”, \$207,984,000, to remain available until September
17 30, 2020: *Provided*, That such amount is designated by
18 the Congress for Overseas Contingency Operations/Global
19 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
20 the Balanced Budget and Emergency Deficit Control Act
21 of 1985.

For an additional amount for “Procurement, Marine Corps”, \$64,071,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by

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

5 AIRCRAFT PROCUREMENT, AIR FORCE

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

13 MISSILE PROCUREMENT, AIR FORCE

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

21 SPACE PROCUREMENT, AIR FORCE

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

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

4 PROCUREMENT OF AMMUNITION, AIR FORCE

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

12 OTHER PROCUREMENT, AIR FORCE

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

20 PROCUREMENT, DEFENSE-WIDE

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

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

3 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

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

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

8 RESEARCH, DEVELOPMENT, TEST AND
9 EVALUATION

10 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
11 ARMY

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

20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
21 NAVY

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

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

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

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

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

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

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

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

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

9 REVOLVING AND MANAGEMENT FUNDS

10 DEFENSE WORKING CAPITAL FUNDS

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

17 OTHER DEPARTMENT OF DEFENSE PROGRAMS

18 DEFENSE HEALTH PROGRAM

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

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
2 DEFENSE

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

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

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

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

11 OFFICE OF THE INSPECTOR GENERAL

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

18 GENERAL PROVISIONS—THIS TITLE

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

23 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 9017. In addition to amounts otherwise made available in this Act, \$500,000,000 is hereby appropriated to the Department of Defense and made available for transfer only to the operation and maintenance, military personnel, and procurement accounts, to improve the intelligence, surveillance, and reconnaissance capabilities of the Department of Defense: *Provided*, That the transfer authority provided in this section is in addition to any other transfer authority provided elsewhere in this Act: *Provided further*, That not later than 30 days prior to exercising the transfer authority provided in this section, the Secretary of Defense shall submit a report to the congressional defense committees on the proposed uses of these funds: *Provided further*, That the funds provided in this section may not be transferred to any program, project, or activity specifically limited or denied by this Act: *Provided further*, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the authority to provide funding under this section shall terminate on September 30, 2018.

12

21 “Other Procurement, Air Force”, 2017/2019,
22 \$25,100,000;
23 “Afghanistan Security Forces Fund”, 2017/
24 2018, \$100,000,000; and

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

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

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

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

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

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

(2) An analysis of the budgetary resources necessary to accomplish the strategy described in subsection (a).

(c) Not later than 30 days after the date on which the President submits to the appropriate congressional committees the report required by subsection (a), the Secretary of State and the Secretary of Defense shall testify at any hearing held by any of the appropriate congressional committees on the report and to which the Secretary is invited.

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

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

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

21 TITLE X—ADDITIONAL GENERAL PROVISIONS

22 REFERENCES TO ACT

23 SEC. 10001. Except as expressly provided otherwise,
24 any reference to “this Act” contained in this division shall

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

3 REFERENCES TO REPORT

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

10 SPENDING REDUCTION ACCOUNT

11 SEC. 10003. \$0.

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

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

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

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

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

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

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

5 **DIVISION B—LEGISLATIVE BRANCH**
6 **APPROPRIATIONS ACT, 2018**

7 The following sums are appropriated, out of any
8 money in the Treasury not otherwise appropriated, for the
9 Legislative Branch for the fiscal year ending September
10 30, 2018, and for other purposes, namely:

11 **TITLE I**

12 **LEGISLATIVE BRANCH**

13 **HOUSE OF REPRESENTATIVES**

14 **SALARIES AND EXPENSES**

15 For salaries and expenses of the House of Represent-
16 atives, \$1,194,050,766 (increased by \$250,000), as fol-
17 lows:

18 **HOUSE LEADERSHIP OFFICES**

19 For salaries and expenses, as authorized by law,
20 \$22,278,891, including: Office of the Speaker,
21 \$6,645,417, including \$25,000 for official expenses of the
22 Speaker; Office of the Majority Floor Leader, \$2,180,048,
23 including \$10,000 for official expenses of the Majority
24 Leader; Office of the Minority Floor Leader, \$7,114,471,
25 including \$10,000 for official expenses of the Minority

1 Leader; Office of the Majority Whip, including the Chief
2 Deputy Majority Whip, \$1,886,632, including \$5,000 for
3 official expenses of the Majority Whip; Office of the Mi-
4 nority Whip, including the Chief Deputy Minority Whip,
5 \$1,459,639, including \$5,000 for official expenses of the
6 Minority Whip; Republican Conference, \$1,505,426;
7 Democratic Caucus, \$1,487,258: *Provided*, That such
8 amount for salaries and expenses shall remain available
9 from January 3, 2018 until January 2, 2019.

10 MEMBERS' REPRESENTATIONAL ALLOWANCES
11 INCLUDING MEMBERS' CLERK HIRE, OFFICIAL
12 EXPENSES OF MEMBERS, AND OFFICIAL MAIL

13 For Members' representational allowances, including
14 Members' clerk hire, official expenses, and official mail,
15 \$562,632,498 (reduced by \$11,025,000) (increased by
16 \$11,025,000).

17 COMMITTEE EMPLOYEES

18 STANDING COMMITTEES, SPECIAL AND SELECT

19 For salaries and expenses of standing committees,
20 special and select, authorized by House resolutions,
21 \$127,053,373: *Provided*, That such amount shall remain
22 available for such salaries and expenses until December
23 31, 2018, except that \$3,150,200 of such amount shall
24 remain available until expended for committee room up-
25 grading.

1 COMMITTEE ON APPROPRIATIONS

2 For salaries and expenses of the Committee on Ap-
3 propriations, \$23,226,000, including studies and examina-
4 tions of executive agencies and temporary personal serv-
5 ices for such committee, to be expended in accordance with
6 section 202(b) of the Legislative Reorganization Act of
7 1946 and to be available for reimbursement to agencies
8 for services performed: *Provided*, That such amount shall
9 remain available for such salaries and expenses until De-
10 cember 31, 2018.

11 SALARIES, OFFICERS AND EMPLOYEES

12 For compensation and expenses of officers and em-
13 ployees, as authorized by law, \$198,156,000, including:
14 for salaries and expenses of the Office of the Clerk, includ-
15 ing the positions of the Chaplain and the Historian, and
16 including not more than \$25,000 for official representa-
17 tion and reception expenses, of which not more than
18 \$20,000 is for the Family Room and not more than
19 \$2,000 is for the Office of the Chaplain, \$27,945,000; for
20 salaries and expenses of the Office of the Sergeant at
21 Arms, including the position of Superintendent of Garages
22 and the Office of Emergency Management, and including
23 not more than \$3,000 for official representation and re-
24 ception expenses, \$20,505,000 of which \$6,696,000 shall
25 remain available until expended; for salaries and expenses

1 of the Office of the Chief Administrative Officer including
2 not more than \$3,000 for official representation and re-
3 ception expenses, \$127,165,000, of which \$2,108,000
4 shall remain available until expended; for salaries and ex-
5 penses of the Office of the Inspector General, \$4,968,000;
6 for salaries and expenses of the Office of General Counsel,
7 \$1,492,000; for salaries and expenses of the Office of the
8 Parliamentarian, including the Parliamentarian, \$2,000
9 for preparing the Digest of Rules, and not more than
10 \$1,000 for official representation and reception expenses,
11 \$2,037,000; for salaries and expenses of the Office of the
12 Law Revision Counsel of the House, \$3,209,000; for sala-
13 ries and expenses of the Office of the Legislative Counsel
14 of the House, \$9,437,000; for salaries and expenses of the
15 Office of Interparliamentary Affairs, \$814,000; for other
16 authorized employees, \$584,000.

17 ALLOWANCES AND EXPENSES

18 For allowances and expenses as authorized by House
19 resolution or law, \$260,704,004 (increased by \$250,000),
20 including: supplies, materials, administrative costs and
21 Federal tort claims, \$3,625,000; official mail for commit-
22 tees, leadership offices, and administrative offices of the
23 House, \$190,000; Government contributions for health,
24 retirement, Social Security, and other applicable employee
25 benefits, \$233,540,004, to remain available until March

1 31, 2019; Business Continuity and Disaster Recovery,
2 \$16,186,000 of which \$5,000,000 shall remain available
3 until expended; transition activities for new members and
4 staff, \$2,273,000, to remain available until expended;
5 Wounded Warrior Program \$2,500,000 (increased by
6 \$250,000), to remain available until expended; Office of
7 Congressional Ethics, \$1,670,000; and miscellaneous
8 items including purchase, exchange, maintenance, repair
9 and operation of House motor vehicles, interparliamentary
10 receptions, and gratuities to heirs of deceased employees
11 of the House, \$720,000.

12 ADMINISTRATIVE PROVISIONS

13 REQUIRING AMOUNTS REMAINING IN MEMBERS' REP-
14 RESENTATIONAL ALLOWANCES TO BE USED FOR
15 DEFICIT REDUCTION OR TO REDUCE THE FEDERAL
16 DEBT

17 SEC. 101. (a) Notwithstanding any other provision
18 of law, any amounts appropriated under this Act for
19 "HOUSE OF REPRESENTATIVES—SALARIES AND
20 EXPENSES—MEMBERS' REPRESENTATIONAL ALLOW-
21 ANCES" shall be available only for fiscal year 2018. Any
22 amount remaining after all payments are made under such
23 allowances for fiscal year 2018 shall be deposited in the
24 Treasury and used for deficit reduction (or, if there is no
25 Federal budget deficit after all such payments have been

1 made, for reducing the Federal debt, in such manner as
2 the Secretary of the Treasury considers appropriate).

3 (b) REGULATIONS.—The Committee on House Ad-
4 ministration of the House of Representatives shall have
5 authority to prescribe regulations to carry out this section.

6 (c) DEFINITION.—As used in this section, the term
7 “Member of the House of Representatives” means a Rep-
8 resentative in, or a Delegate or Resident Commissioner
9 to, the Congress.

10 DELIVERY OF BILLS AND RESOLUTIONS

11 SEC. 102. None of the funds made available in this
12 Act may be used to deliver a printed copy of a bill, joint
13 resolution, or resolution to the office of a Member of the
14 House of Representatives (including a Delegate or Resi-
15 dent Commissioner to the Congress) unless the Member
16 requests a copy.

17 DELIVERY OF CONGRESSIONAL RECORD

18 SEC. 103. None of the funds made available by this
19 Act may be used to deliver a printed copy of any version
20 of the Congressional Record to the office of a Member of
21 the House of Representatives (including a Delegate or
22 Resident Commissioner to the Congress).

23 LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

24 SEC. 104. None of the funds made available in this
25 Act may be used by the Chief Administrative Officer of

8 SEC. 105. None of the funds made available by this
9 Act may be used to provide an aggregate number of more
10 than 50 printed copies of any edition of the United States
11 Code to all offices of the House of Representatives.

SEC. 106. None of the funds made available by this Act may be used to deliver a printed copy of the report of disbursements for the operations of the House of Representatives under section 106 of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5535) to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

SEC. 107. None of the funds made available by this Act may be used to deliver to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) a printed copy

1 of the Daily Calendar of the House of Representatives
2 which is prepared by the Clerk of the House of Represent-
3 atives.

4 DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY

5 SEC. 108. None of the funds made available by this
6 Act may be used to deliver a printed copy of the Congres-
7 sional Pictorial Directory to the office of a Member of the
8 House of Representatives (including a Delegate or Resi-
9 dent Commissioner to the Congress).

10 AMENDING THE HOUSE SERVICES REVOLVING FUND

11 SEC. 109. (a) COLLECTION OF CERTAIN SERVICE
12 FEES.—Section 105(a) of the Legislative Branch Appro-
13 priations Act, 2005 (2 U.S.C. 5545(a)) is amended by
14 adding at the end the following new paragraph:

15 “(7) The collection of a service fee from ven-
16 dors of the Master Web Services Agreement or the
17 Technology Services Contract for failure to abide by
18 and maintain House of Representatives security poli-
19 cies.”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 subsection (a) shall take effect on the date of the enact-
22 ment of this Act.

23 ADJUSTMENTS TO COMPENSATION

24 SEC. 110. Notwithstanding any other provision of
25 law, no adjustment shall be made under section 601(a)

1 of the Legislative Reorganization Act of 1946 (2 U.S.C.
2 4501) (relating to cost of living adjustments for Members
3 of Congress) during fiscal year 2018.

4 JOINT ITEMS

5 For Joint Committees, as follows:

6 JOINT ECONOMIC COMMITTEE

7 For salaries and expenses of the Joint Economic
8 Committee, \$4,203,000, to be disbursed by the Secretary
9 of the Senate.

10 JOINT COMMITTEE ON TAXATION

11 For salaries and expenses of the Joint Committee on
12 Taxation, \$10,455,000, to be disbursed by the Chief Ad-
13 ministrative Officer of the House of Representatives.

14 For other joint items, as follows:

15 OFFICE OF THE ATTENDING PHYSICIAN

16 For medical supplies, equipment, and contingent ex-
17 penses of the emergency rooms, and for the Attending
18 Physician and his assistants, including:

19 (1) an allowance of \$2,175 per month to the
20 Attending Physician;

21 (2) an allowance of \$1,300 per month to the
22 Senior Medical Officer;

23 (3) an allowance of \$725 per month each to
24 three medical officers while on duty in the Office of
25 the Attending Physician;

1 (4) an allowance of \$725 per month to 2 assist-
2 ants and \$580 per month each not to exceed 11 as-
3 sistants on the basis heretofore provided for such as-
4 sistants; and

5 (5) \$2,780,000 for reimbursement to the De-
6 partment of the Navy for expenses incurred for staff
7 and equipment assigned to the Office of the Attend-
8 ing Physician, which shall be advanced and credited
9 to the applicable appropriation or appropriations
10 from which such salaries, allowances, and other ex-
11 penses are payable and shall be available for all the
12 purposes thereof, \$3,838,000, to be disbursed by the
13 Chief Administrative Officer of the House of Rep-
14 resentatives.

15 OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

16 SALARIES AND EXPENSES

17 For salaries and expenses of the Office of Congres-
18 sional Accessibility Services, \$1,444,000, to be disbursed
19 by the Secretary of the Senate.

20 ADMINISTRATIVE PROVISION

21 SEC. 1001. (a) ESTABLISHMENT OF SENIOR LEVEL
22 POSITIONS.—Notwithstanding any order issued by the
23 Speaker of the House of Representatives pursuant to
24 paragraph (1) of section 311(d) of the Legislative Branch
25 Appropriations Act, 1988 (2 U.S.C. 4532(1)), the chair

1 of the Joint Committee on Taxation may establish and
2 fix the compensation of senior level positions in the staff
3 of the Joint Committee to meet critical scientific, tech-
4 nical, professional, or executive needs of the Joint Com-
5 mittee.

6 (b) LIMITATION ON COMPENSATION.—The annual
7 rate of pay for any position established under this section
8 may not exceed the annual rate of pay for level II of the
9 Executive Schedule.

10 (c) CONFORMING AMENDMENT.— Subsection (e) of
11 section 214 of the Postal Revenue and Federal Salary Act
12 of 1967 (2 U.S.C. 4302) is repealed.

13 (d) EFFECTIVE DATE.—This section shall apply with
14 respect to fiscal year 2018 and each succeeding fiscal year.

15 CAPITOL POLICE

16 SALARIES

17 For salaries of employees of the Capitol Police, in-
18 cluding overtime, hazardous duty pay, and Government
19 contributions for health, retirement, social security, pro-
20 fessional liability insurance, and other applicable employee
21 benefits, \$347,700,000 of which overtime shall not exceed
22 \$45,000,000 unless the Committee on Appropriations of
23 the House and Senate are notified, to be disbursed by the
24 Chief of the Capitol Police or his designee.

1 GENERAL EXPENSES

2 For necessary expenses of the Capitol Police, includ-
3 ing motor vehicles, communications and other equipment,
4 security equipment and installation, uniforms, weapons,
5 supplies, materials, training, medical services, forensic
6 services, stenographic services, personal and professional
7 services, the employee assistance program, the awards pro-
8 gram, postage, communication services, travel advances,
9 relocation of instructor and liaison personnel for the Fed-
10 eral Law Enforcement Training Center, and not more
11 than \$5,000 to be expended on the certification of the
12 Chief of the Capitol Police in connection with official rep-
13 resentation and reception expenses, \$74,800,000, to be
14 disbursed by the Chief of the Capitol Police or his des-
15 ignee: *Provided*, That, notwithstanding any other provi-
16 sion of law, the cost of basic training for the Capitol Police
17 at the Federal Law Enforcement Training Center for fis-
18 cal year 2018 shall be paid by the Secretary of Homeland
19 Security from funds available to the Department of Home-
20 land Security.

21 OFFICE OF COMPLIANCE

22 SALARIES AND EXPENSES

23 For salaries and expenses of the Office of Compli-
24 ance, as authorized by section 305 of the Congressional
25 Accountability Act of 1995 (2 U.S.C. 1385), \$3,959,000,

1 of which \$450,000 shall remain available until September
2 30, 2019: *Provided*, That not more than \$500 may be ex-
3 pended on the certification of the Executive Director of
4 the Office of Compliance in connection with official rep-
5 resentation and reception expenses.

6 CONGRESSIONAL BUDGET OFFICE

7 SALARIES AND EXPENSES

8 For salaries and expenses necessary for operation of
9 the Congressional Budget Office, including not more than
10 \$6,000 to be expended on the certification of the Director
11 of the Congressional Budget Office in connection with offi-
12 cial representation and reception expenses, \$48,500,000.

13 ARCHITECT OF THE CAPITOL

14 CAPITAL CONSTRUCTION AND OPERATIONS

15 For salaries for the Architect of the Capitol, and
16 other personal services, at rates of pay provided by law;
17 for all necessary expenses for surveys and studies, con-
18 struction, operation, and general and administrative sup-
19 port in connection with facilities and activities under the
20 care of the Architect of the Capitol including the Botanic
21 Garden; electrical substations of the Capitol, Senate and
22 House office buildings, and other facilities under the juris-
23 diction of the Architect of the Capitol; including fur-
24 nishings and office equipment; including not more than
25 \$5,000 for official reception and representation expenses,

1 to be expended as the Architect of the Capitol may ap-
2 prove; for purchase or exchange, maintenance, and oper-
3 ation of a passenger motor vehicle, \$93,000,000 (reduced
4 by \$250,000) (reduced by \$100,000) (increased by
5 \$100,000).

6 CAPITOL BUILDING

7 For all necessary expenses for the maintenance, care
8 and operation of the Capitol, \$45,300,000, of which
9 \$19,458,000 shall remain available until September 30,
10 2022.

11 CAPITOL GROUNDS

12 For all necessary expenses for care and improvement
13 of grounds surrounding the Capitol, the Senate and House
14 office buildings, and the Capitol Power Plant,
15 \$13,333,000, of which \$3,195,000 shall remain available
16 until September 30, 2022.

17 HOUSE OFFICE BUILDINGS

18 For all necessary expenses for the maintenance, care
19 and operation of the House office buildings,
20 \$169,294,000, of which \$45,130,000 shall remain avail-
21 able until September 30, 2022, and of which \$62,000,000
22 shall remain available until expended for the restoration
23 and renovation of the Cannon House Office Building.

1 In addition, for a payment to the House Historic
2 Buildings Revitalization Trust Fund, \$10,000,000, to re-
3 main available until expended.

4 CAPITOL POWER PLANT

5 For all necessary expenses for the maintenance, care
6 and operation of the Capitol Power Plant; lighting, heat-
7 ing, power (including the purchase of electrical energy)
8 and water and sewer services for the Capitol, Senate and
9 House office buildings, Library of Congress buildings, and
10 the grounds about the same, Botanic Garden, Senate ga-
11 rage, and air conditioning refrigeration not supplied from
12 plants in any of such buildings; heating the Government
13 Publishing Office and Washington City Post Office, and
14 heating and chilled water for air conditioning for the Su-
15 preme Court Building, the Union Station complex, the
16 Thurgood Marshall Federal Judiciary Building and the
17 Folger Shakespeare Library, expenses for which shall be
18 advanced or reimbursed upon request of the Architect of
19 the Capitol and amounts so received shall be deposited
20 into the Treasury to the credit of this appropriation,
21 \$106,694,000, of which \$28,057,000 shall remain avail-
22 able until September 30, 2022: *Provided*, That not more
23 than \$9,000,000 of the funds credited or to be reimbursed
24 to this appropriation as herein provided shall be available
25 for obligation during fiscal year 2018.

1 LIBRARY BUILDINGS AND GROUNDS

2 For all necessary expenses for the mechanical and
3 structural maintenance, care and operation of the Library
4 buildings and grounds, \$76,097,000, of which
5 \$48,724,000 shall remain available until September 30,
6 2022.

7 CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

8 For all necessary expenses for the maintenance, care
9 and operation of buildings, grounds and security enhance-
10 ments of the United States Capitol Police, wherever lo-
11 cated, the Alternate Computer Facility, and Architect of
12 the Capitol security operations, \$33,249,000, of which
13 \$12,300,000 shall remain available until September 30,
14 2022.

15 BOTANIC GARDEN

16 For all necessary expenses for the maintenance, care
17 and operation of the Botanic Garden and the nurseries,
18 buildings, grounds, and collections; and purchase and ex-
19 change, maintenance, repair, and operation of a passenger
20 motor vehicle; all under the direction of the Joint Com-
21 mittee on the Library, \$13,400,000, of which \$2,600,000
22 shall remain available until September 30, 2022: *Provided*,
23 That, of the amount made available under this heading,
24 the Architect of the Capitol may obligate and expend such
25 sums as may be necessary for the maintenance, care and

1 operation of the National Garden established under sec-
2 tion 307E of the Legislative Branch Appropriations Act,
3 1989 (2 U.S.C. 2146), upon vouchers approved by the Ar-
4 chitect of the Capitol or a duly authorized designee.

5 CAPITOL VISITOR CENTER

6 For all necessary expenses for the operation of the
7 Capitol Visitor Center, \$21,470,000.

8 ADMINISTRATIVE PROVISIONS

9 NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR
10 OVER BUDGET

11 SEC. 1101. None of the funds made available in this
12 Act for the Architect of the Capitol may be used to make
13 incentive or award payments to contractors for work on
14 contracts or programs for which the contractor is behind
15 schedule or over budget, unless the Architect of the Cap-
16 itol, or agency-employed designee, determines that any
17 such deviations are due to unforeseeable events, govern-
18 ment-driven scope changes, or are not significant within
19 the overall scope of the project and/or program.

20 SCRIMS

21 SEC. 1102. None of the funds made available by this
22 Act may be used for scrims containing photographs of
23 building facades during restoration or construction
24 projects performed by the Architect of the Capitol.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For all necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$464,209,234, of which not more than \$6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2018, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than \$350,000 shall be derived from collections during fiscal year 2018 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: *Provided*, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June

1 28, 1902, in excess of the amount authorized for obliga-
2 tion or expenditure in appropriations Acts: *Provided fur-*
3 *ther*, That the total amount available for obligation shall
4 be reduced by the amount by which collections are less
5 than \$6,350,000: *Provided further*, That, of the total
6 amount appropriated, not more than \$12,000 may be ex-
7 pended, on the certification of the Librarian of Congress,
8 in connection with official representation and reception ex-
9 penses for the Overseas Field Offices: *Provided further*,
10 That, of the total amount appropriated, \$8,653,000 shall
11 remain available until expended for the digital collections
12 and educational curricula program: *Provided further*,
13 That, of the total amount appropriated, \$1,300,000 shall
14 remain available until expended for upgrade of the Legis-
15 lative Branch Financial Management System.

16 COPYRIGHT OFFICE

17 SALARIES AND EXPENSES

18 For all necessary expenses of the Copyright Office,
19 \$72,011,000, of which not more than \$35,218,000, to re-
20 main available until expended, shall be derived from collec-
21 tions credited to this appropriation during fiscal year 2018
22 under section 708(d) of title 17, United States Code: *Pro-*
23 *vided*, That the Copyright Office may not obligate or ex-
24 pend any funds derived from collections under such sec-
25 tion, in excess of the amount authorized for obligation or

1 expenditure in appropriations Acts: *Provided further*, That
2 not more than \$6,087,000 shall be derived from collections
3 during fiscal year 2018 under sections 111(d)(2),
4 119(b)(3), 803(e), 1005, and 1316 of such title: *Provided*
5 *further*, That the total amount available for obligation
6 shall be reduced by the amount by which collections are
7 less than \$41,305,000: *Provided further*, That not more
8 than \$100,000 of the amount appropriated is available for
9 the maintenance of an “International Copyright Institute”
10 in the Copyright Office of the Library of Congress for the
11 purpose of training nationals of developing countries in
12 intellectual property laws and policies: *Provided further*,
13 That \$2,260,000 shall be derived from prior year unobli-
14 gated balances: *Provided further*, That not more than
15 \$6,500 may be expended, on the certification of the Li-
16 brarian of Congress, in connection with official representa-
17 tion and reception expenses for activities of the Inter-
18 national Copyright Institute and for copyright delegations,
19 visitors, and seminars: *Provided further*, That, notwith-
20 standing any provision of chapter 8 of title 17, United
21 States Code, any amounts made available under this head-
22 ing which are attributable to royalty fees and payments
23 received by the Copyright Office pursuant to sections 111,
24 119, and chapter 10 of such title may be used for the
25 costs incurred in the administration of the Copyright Roy-

1 alty Judges program, with the exception of the costs of
2 salaries and benefits for the Copyright Royalty Judges
3 and staff under section 802(e).

4 CONGRESSIONAL RESEARCH SERVICE

5 SALARIES AND EXPENSES

6 For all necessary expenses to carry out the provisions
7 of section 203 of the Legislative Reorganization Act of
8 1946 (2 U.S.C. 166) and to revise and extend the Anno-
9 tated Constitution of the United States of America,
10 \$111,474,000: *Provided*, That no part of such amount
11 may be used to pay any salary or expense in connection
12 with any publication, or preparation of material therefor
13 (except the Digest of Public General Bills), to be issued
14 by the Library of Congress unless such publication has
15 obtained prior approval of either the Committee on House
16 Administration of the House of Representatives or the
17 Committee on Rules and Administration of the Senate.

18 BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

19 SALARIES AND EXPENSES

20 For all necessary expenses to carry out the Act of
21 March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C.
22 135a), \$50,248,000: *Provided*, That, of the total amount
23 appropriated, \$650,000 shall be available to contract to
24 provide newspapers to blind and physically handicapped
25 residents at no cost to the individual.

ADMINISTRATIVE PROVISION

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1201. (a) IN GENERAL.—For fiscal year 2018, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed \$190,642,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

GOVERNMENT PUBLISHING OFFICE

CONGRESSIONAL PUBLISHING

(INCLUDING TRANSFER OF FUNDS)

For authorized publishing of congressional information and the distribution of congressional information in any format; publishing of Government publications authorized by law to be distributed to Members of Congress; and publishing, and distribution of Government publications authorized by law to be distributed without charge to the recipient, \$79,528,000: *Provided*, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code:

1 *Provided further*, That this appropriation shall be available
2 for the payment of obligations incurred under the appro-
3 priations for similar purposes for preceding fiscal years:
4 *Provided further*, That notwithstanding the 2-year limita-
5 tion under section 718 of title 44, United States Code,
6 none of the funds appropriated or made available under
7 this Act or any other Act for printing and binding and
8 related services provided to Congress under chapter 7 of
9 title 44, United States Code, may be expended to print
10 a document, report, or publication after the 27-month pe-
11 riod beginning on the date that such document, report,
12 or publication is authorized by Congress to be printed, un-
13 less Congress reauthorizes such printing in accordance
14 with section 718 of title 44, United States Code: *Provided*
15 *further*, That any unobligated or unexpended balances in
16 this account or accounts for similar purposes for preceding
17 fiscal years may be transferred to the Government Pub-
18 lishing Office Business Operations Revolving Fund for
19 carrying out the purposes of this heading, subject to the
20 approval of the Committees on Appropriations of the
21 House of Representatives and Senate: *Provided further*,
22 That notwithstanding sections 901, 902, and 906 of title
23 44, United States Code, this appropriation may be used
24 to prepare indexes to the Congressional Record on only
25 a monthly and session basis.

1 PUBLIC INFORMATION PROGRAMS OF THE
2 SUPERINTENDENT OF DOCUMENTS
3 SALARIES AND EXPENSES
4 (INCLUDING TRANSFER OF FUNDS)

5 For expenses of the public information programs of
6 the Office of Superintendent of Documents necessary to
7 provide for the cataloging and indexing of Government
8 publications and their distribution to the public, Members
9 of Congress, other Government agencies, and designated
10 depository and international exchange libraries as author-
11 ized by law, \$29,000,000: *Provided*, That amounts of not
12 more than \$2,000,000 from current year appropriations
13 are authorized for producing and disseminating Congres-
14 sional serial sets and other related publications for fiscal
15 years 2016 and 2017 to depository and other designated
16 libraries: *Provided further*, That any unobligated or unex-
17 pended balances in this account or accounts for similar
18 purposes for preceding fiscal years may be transferred to
19 the Government Publishing Office Business Operations
20 Revolving Fund for carrying out the purposes of this head-
21 ing, subject to the approval of the Committees on Appro-
22 priations of the House of Representatives and Senate.

1 GOVERNMENT PUBLISHING OFFICE BUSINESS
2 OPERATIONS REVOLVING FUND

3 For payment to the Government Publishing Office
4 Business Operations Revolving Fund, \$8,540,000, to re-
5 main available until expended, for information technology
6 development and facilities repair: *Provided*, That the Gov-
7 ernment Publishing Office is hereby authorized to make
8 such expenditures, within the limits of funds available and
9 in accordance with law, and to make such contracts and
10 commitments without regard to fiscal year limitations as
11 provided by section 9104 of title 31, United States Code,
12 as may be necessary in carrying out the programs and
13 purposes set forth in the budget for the current fiscal year
14 for the Government Publishing Office Business Operations
15 Revolving Fund: *Provided further*, That not more than
16 \$7,500 may be expended on the certification of the Direc-
17 tor of the Government Publishing Office in connection
18 with official representation and reception expenses: *Pro-*
19 *vided further*, That the business operations revolving fund
20 shall be available for the hire or purchase of not more than
21 12 passenger motor vehicles: *Provided further*, That ex-
22 penditures in connection with travel expenses of the advi-
23 sory councils to the Director of the Government Pub-
24 lishing Office shall be deemed necessary to carry out the
25 provisions of title 44, United States Code: *Provided fur-*

1 *ther*, That the business operations revolving fund shall be
 2 available for temporary or intermittent services under sec-
 3 tion 3109(b) of title 5, United States Code, but at rates
 4 for individuals not more than the daily equivalent of the
 5 annual rate of basic pay for level V of the Executive
 6 Schedule under section 5316 of such title: *Provided fur-*
 7 *ther*, That activities financed through the business oper-
 8 ations revolving fund may provide information in any for-
 9 mat: *Provided further*, That the business operations revolv-
 10 ing fund and the funds provided under the heading “Pub-
 11 lic Information Programs of the Superintendent of Docu-
 12 ments” may not be used for contracted security services
 13 at the Government Publishing Office’s passport facility in
 14 the District of Columbia.

15 GOVERNMENT ACCOUNTABILITY OFFICE

16 SALARIES AND EXPENSES

17 For necessary expenses of the Government Account-
 18 ability Office, including not more than \$12,500 to be ex-
 19 pended on the certification of the Comptroller General of
 20 the United States in connection with official representa-
 21 tion and reception expenses; temporary or intermittent
 22 services under section 3109(b) of title 5, United States
 23 Code, but at rates for individuals not more than the daily
 24 equivalent of the annual rate of basic pay for level IV of
 25 the Executive Schedule under section 5315 of such title;

1 hire of one passenger motor vehicle; advance payments in
2 foreign countries in accordance with section 3324 of title
3 31, United States Code; benefits comparable to those pay-
4 able under sections 901(5), (6), and (8) of the Foreign
5 Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8));
6 and under regulations prescribed by the Comptroller Gen-
7 eral of the United States, rental of living quarters in for-
8 eign countries, \$544,505,919: *Provided*, That, in addition,
9 \$23,800,000 of payments received under sections 782,
10 791, 3521, and 9105 of title 31, United States Code, shall
11 be available without fiscal year limitation: *Provided fur-*
12 *ther*, That this appropriation and appropriations for ad-
13 ministrative expenses of any other department or agency
14 which is a member of the National Intergovernmental
15 Audit Forum or a Regional Intergovernmental Audit
16 Forum shall be available to finance an appropriate share
17 of either Forum's costs as determined by the respective
18 Forum, including necessary travel expenses of non-Federal
19 participants: *Provided further*, That payments hereunder
20 to the Forum may be credited as reimbursements to any
21 appropriation from which costs involved are initially fi-
22 nanced.

12 JOHN C. STENNIS CENTER FOR PUBLIC SERVICE
13 TRAINING AND DEVELOPMENT

19 TITLE II

20 GENERAL PROVISIONS

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking fa-

1 cilities for the House of Representatives issued by the
2 Committee on House Administration and for the Senate
3 issued by the Committee on Rules and Administration.

4 FISCAL YEAR LIMITATION

5 SEC. 202. No part of the funds appropriated in this
6 Act shall remain available for obligation beyond fiscal year
7 2018 unless expressly so provided in this Act.

8 RATES OF COMPENSATION AND DESIGNATION

9 SEC. 203. Whenever in this Act any office or position
10 not specifically established by the Legislative Pay Act of
11 1929 (46 Stat. 32 et seq.) is appropriated for or the rate
12 of compensation or designation of any office or position
13 appropriated for is different from that specifically estab-
14 lished by such Act, the rate of compensation and the des-
15 ignation in this Act shall be the permanent law with re-
16 spect thereto: *Provided*, That the provisions in this Act
17 for the various items of official expenses of Members, offi-
18 cers, and committees of the Senate and House of Rep-
19 resentatives, and clerk hire for Senators and Members of
20 the House of Representatives shall be the permanent law
21 with respect thereto.

22 CONSULTING SERVICES

23 SEC. 204. The expenditure of any appropriation
24 under this Act for any consulting service through procure-
25 ment contract, under section 3109 of title 5, United States

1 Code, shall be limited to those contracts where such ex-
2 penditures are a matter of public record and available for
3 public inspection, except where otherwise provided under
4 existing law, or under existing Executive order issued
5 under existing law.

6 COSTS OF LBFMC

7 SEC. 205. Amounts available for administrative ex-
8 penses of any legislative branch entity which participates
9 in the Legislative Branch Financial Managers Council
10 (LBFMC) established by charter on March 26, 1996, shall
11 be available to finance an appropriate share of LBFMC
12 costs as determined by the LBFMC, except that the total
13 LBFMC costs to be shared among all participating legisla-
14 tive branch entities (in such allocations among the entities
15 as the entities may determine) may not exceed \$2,000.

16 LIMITATION ON TRANSFERS

17 SEC. 206. None of the funds made available in this
18 Act may be transferred to any department, agency, or in-
19 strumentality of the United States Government, except
20 pursuant to a transfer made by, or transfer authority pro-
21 vided in, this Act or any other appropriation Act.

22 GUIDED TOURS OF THE CAPITOL

23 SEC. 207. (a) Except as provided in subsection (b),
24 none of the funds made available to the Architect of the
25 Capitol in this Act may be used to eliminate or restrict

1 guided tours of the United States Capitol which are led
2 by employees and interns of offices of Members of Con-
3 gress and other offices of the House of Representatives
4 and Senate.

5 (b) At the direction of the Capitol Police Board, or
6 at the direction of the Architect of the Capitol with the
7 approval of the Capitol Police Board, guided tours of the
8 United States Capitol which are led by employees and in-
9 terns described in subsection (a) may be suspended tempo-
10 rarily or otherwise subject to restriction for security or re-
11 lated reasons to the same extent as guided tours of the
12 United States Capitol which are led by the Architect of
13 the Capitol.

14 REFERENCES TO ACT

15 SEC. 208. Except as expressly provided otherwise,
16 any reference to “this Act” contained in this division shall
17 be treated as referring only to the provisions of this divi-
18 sion.

19 REFERENCES TO REPORT

20 SEC. 209. Any reference to a “report accompanying
21 this Act” contained in this division shall be treated as a
22 reference to House Report 115–199. The effect of such
23 Report shall be limited to this division and shall apply for
24 purposes of determining the allocation of funds provided
25 by, and the implementation of, this division.

1 SPENDING REDUCTION ACCOUNT

2 SEC. 210. \$0.

3 SEC. 211. None of the funds made available by this
4 Act may be used to deliver a printed copy of the Federal
5 Register to the office of a Member of the House of Rep-
6 resentatives (including a Delegate or Resident Commis-
7 sioner to the Congress), unless a printed copy is requested
8 by the Member (or Delegate or Resident Commissioner).

9 This division may be cited as the “Legislative Branch
10 Appropriations Act, 2018”.

11 **DIVISION C—MILITARY CONSTRUCTION,**
12 **VETERANS AFFAIRS, AND RELATED**
13 **AGENCIES APPROPRIATIONS ACT, 2018**

14 The following sums are appropriated, out of any
15 money in the Treasury not otherwise appropriated, for
16 military construction, the Department of Veterans Affairs,
17 and related agencies for the fiscal year ending September
18 30, 2018, and for other purposes, namely:

19 TITLE I

20 DEPARTMENT OF DEFENSE

21 MILITARY CONSTRUCTION, ARMY

22 For acquisition, construction, installation, and equip-
23 ment of temporary or permanent public works, military
24 installations, facilities, and real property for the Army as
25 currently authorized by law, including personnel in the

1 Army Corps of Engineers and other personal services nec-
2 essary for the purposes of this appropriation, and for con-
3 struction and operation of facilities in support of the func-
4 tions of the Commander in Chief, \$923,994,000, to re-
5 main available until September 30, 2022: *Provided*, That,
6 of this amount, not to exceed \$101,470,000 shall be avail-
7 able for study, planning, design, architect and engineer
8 services, and host nation support, as authorized by law,
9 unless the Secretary of the Army determines that addi-
10 tional obligations are necessary for such purposes and no-
11 tifies the Committees on Appropriations of both Houses
12 of Congress of the determination and the reasons therefor.

13 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

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

1 purposes and notifies the Committees on Appropriations
2 of both Houses of Congress of the determination and the
3 reasons therefor.

4 MILITARY CONSTRUCTION, AIR FORCE

5 For acquisition, construction, installation, and equip-
6 ment of temporary or permanent public works, military
7 installations, facilities, and real property for the Air Force
8 as currently authorized by law, \$1,540,474,000, to remain
9 available until September 30, 2022: *Provided*, That, of
10 this amount, not to exceed \$97,852,000 shall be available
11 for study, planning, design, and architect and engineer
12 services, as authorized by law, unless the Secretary of the
13 Air Force determines that additional obligations are nec-
14 essary for such purposes and notifies the Committees on
15 Appropriations of both Houses of Congress of the deter-
16 mination and the reasons therefor.

17 MILITARY CONSTRUCTION, DEFENSE-WIDE

18 (INCLUDING TRANSFER OF FUNDS)

19 For acquisition, construction, installation, and equip-
20 ment of temporary or permanent public works, installa-
21 tions, facilities, and real property for activities and agen-
22 cies of the Department of Defense (other than the military
23 departments), as currently authorized by law,
24 \$2,791,272,000, to remain available until September 30,
25 2022: *Provided*, That such amounts of this appropriation

1 as may be determined by the Secretary of Defense may
2 be transferred to such appropriations of the Department
3 of Defense available for military construction or family
4 housing as the Secretary may designate, to be merged with
5 and to be available for the same purposes, and for the
6 same time period, as the appropriation or fund to which
7 transferred: *Provided further*, That, of the amount, not to
8 exceed \$185,717,000 shall be available for study, plan-
9 ning, design, and architect and engineer services, as au-
10 thorized by law, unless the Secretary of Defense deter-
11 mines that additional obligations are necessary for such
12 purposes and notifies the Committees on Appropriations
13 of both Houses of Congress of the determination and the
14 reasons therefor.

15 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

16 For construction, acquisition, expansion, rehabilita-
17 tion, and conversion of facilities for the training and ad-
18 ministration of the Army National Guard, and contribu-
19 tions therefor, as authorized by chapter 1803 of title 10,
20 United States Code, and Military Construction Authoriza-
21 tion Acts, \$210,652,000, to remain available until Sep-
22 tember 30, 2022: *Provided*, That, of the amount, not to
23 exceed \$16,271,000 shall be available for study, planning,
24 design, and architect and engineer services, as authorized
25 by law, unless the Director of the Army National Guard

1 determines that additional obligations are necessary for
2 such purposes and notifies the Committees on Appropria-
3 tions of both Houses of Congress of the determination and
4 the reasons therefor.

5 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

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

20 MILITARY CONSTRUCTION, ARMY RESERVE

21 For construction, acquisition, expansion, rehabilita-
22 tion, and conversion of facilities for the training and ad-
23 ministration of the Army Reserve as authorized by chapter
24 1803 of title 10, United States Code, and Military Con-
25 struction Authorization Acts, \$73,712,000, to remain

1 available until September 30, 2022: *Provided*, That, of the
2 amount, not to exceed \$6,887,000 shall be available for
3 study, planning, design, and architect and engineer serv-
4 ices, as authorized by law, unless the Chief of the Army
5 Reserve determines that additional obligations are nec-
6 essary for such purposes and notifies the Committees on
7 Appropriations of both Houses of Congress of the deter-
8 mination and the reasons therefor.

9 MILITARY CONSTRUCTION, NAVY RESERVE

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

23 MILITARY CONSTRUCTION, AIR FORCE RESERVE

24 For construction, acquisition, expansion, rehabilita-
25 tion, and conversion of facilities for the training and ad-

1 ministration of the Air Force Reserve as authorized by
2 chapter 1803 of title 10, United States Code, and Military
3 Construction Authorization Acts, \$63,535,000, to remain
4 available until September 30, 2022: *Provided*, That, of the
5 amount, not to exceed \$4,725,000 shall be available for
6 study, planning, design, and architect and engineer serv-
7 ices, as authorized by law, unless the Chief of the Air
8 Force Reserve determines that additional obligations are
9 necessary for such purposes and notifies the Committees
10 on Appropriations of both Houses of Congress of the de-
11 termination and the reasons therefor: *Provided further*,
12 That, the Chief of the Air Force Reserve shall take imme-
13 diate action to address unfunded military construction re-
14 quirements for access control points and security issues
15 at Air Force Reserve facilities.

16 NORTH ATLANTIC TREATY ORGANIZATION
17 SECURITY INVESTMENT PROGRAM

18 For the United States share of the cost of the North
19 Atlantic Treaty Organization Security Investment Pro-
20 gram for the acquisition and construction of military fa-
21 cilities and installations (including international military
22 headquarters) and for related expenses for the collective
23 defense of the North Atlantic Treaty Area as authorized
24 by section 2806 of title 10, United States Code, and Mili-

1 tary Construction Authorization Acts, \$177,932,000, to
2 remain available until expended.

3 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

4 For deposit into the Department of Defense Base
5 Closure Account, established by section 2906(a) of the De-
6 fense Base Closure and Realignment Act of 1990 (10
7 U.S.C. 2687 note), \$290,867,000, to remain available
8 until expended.

9 FAMILY HOUSING CONSTRUCTION, ARMY

10 For expenses of family housing for the Army for con-
11 struction, including acquisition, replacement, addition, ex-
12 pansion, extension, and alteration, as authorized by law,
13 \$182,662,000, to remain available until September 30,
14 2022.

15 FAMILY HOUSING OPERATION AND MAINTENANCE,

16 ARMY

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

21 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

22 CORPS

23 For expenses of family housing for the Navy and Ma-
24 rine Corps for construction, including acquisition, replace-
25 ment, addition, expansion, extension, and alteration, as

1 authorized by law, \$83,682,000, to remain available until
2 September 30, 2022.

3 FAMILY HOUSING OPERATION AND MAINTENANCE,
4 NAVY AND MARINE CORPS

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

10 FAMILY HOUSING CONSTRUCTION, AIR FORCE

11 For expenses of family housing for the Air Force for
12 construction, including acquisition, replacement, addition,
13 expansion, extension, and alteration, as authorized by law,
14 \$85,062,000, to remain available until September 30,
15 2022.

16 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
17 FORCE

18 For expenses of family housing for the Air Force for
19 operation and maintenance, including debt payment, leas-
20 ing, minor construction, principal and interest charges,
21 and insurance premiums, as authorized by law,
22 \$318,324,000.

8 DEPARTMENT OF DEFENSE FAMILY HOUSING
9 IMPROVEMENT FUND

16 DEPARTMENT OF DEFENSE MILITARY UNACCOMPANIED
17 HOUSING IMPROVEMENT FUND

HR 3219 PCS

1 ADMINISTRATIVE PROVISIONS

2 SEC. 101. None of the funds made available in this
3 title shall be expended for payments under a cost-plus-a-
4 fixed-fee contract for construction, where cost estimates
5 exceed \$25,000, to be performed within the United States,
6 except Alaska, without the specific approval in writing of
7 the Secretary of Defense setting forth the reasons there-
8 for.

9 SEC. 102. Funds made available in this title for con-
10 struction shall be available for hire of passenger motor ve-
11 hicles.

12 SEC. 103. Funds made available in this title for con-
13 struction may be used for advances to the Federal High-
14 way Administration, Department of Transportation, for
15 the construction of access roads as authorized by section
16 210 of title 23, United States Code, when projects author-
17 ized therein are certified as important to the national de-
18 fense by the Secretary of Defense.

19 SEC. 104. None of the funds made available in this
20 title may be used to begin construction of new bases in
21 the United States for which specific appropriations have
22 not been made.

23 SEC. 105. None of the funds made available in this
24 title shall be used for purchase of land or land easements
25 in excess of 100 percent of the value as determined by

1 the Army Corps of Engineers or the Naval Facilities Engi-
2 neering Command, except: (1) where there is a determina-
3 tion of value by a Federal court; (2) purchases negotiated
4 by the Attorney General or the designee of the Attorney
5 General; (3) where the estimated value is less than
6 \$25,000; or (4) as otherwise determined by the Secretary
7 of Defense to be in the public interest.

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

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

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

24 SEC. 109. None of the funds available to the Depart-
25 ment of Defense for military construction or family hous-

1 ing during the current fiscal year may be used to pay real
2 property taxes in any foreign nation.

3 SEC. 110. None of the funds made available in this
4 title may be used to initiate a new installation overseas
5 without prior notification to the Committees on Appro-
6 priations of both Houses of Congress.

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

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

1 not apply to contract awards for military construction on
2 Kwajalein Atoll for which the lowest responsive and re-
3 sponsible bid is submitted by a Marshallese contractor.

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

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

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

22 SEC. 116. Notwithstanding any other provision of
23 law, any funds made available to a military department
24 or defense agency for the construction of military projects
25 may be obligated for a military construction project or

1 contract, or for any portion of such a project or contract,
2 at any time before the end of the fourth fiscal year after
3 the fiscal year for which funds for such project were made
4 available, if the funds obligated for such project: (1) are
5 obligated from funds available for military construction
6 projects; and (2) do not exceed the amount appropriated
7 for such project, plus any amount by which the cost of
8 such project is increased pursuant to law.

9 (INCLUDING TRANSFER OF FUNDS)

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

1 purposes and for the same period of time as amounts ap-
2 propriated directly to the Fund: *Provided*, That appropria-
3 tions made available to the Funds shall be available to
4 cover the costs, as defined in section 502(5) of the Con-
5 gressional Budget Act of 1974, of direct loans or loan
6 guarantees issued by the Department of Defense pursuant
7 to the provisions of subchapter IV of chapter 169 of title
8 10, United States Code, pertaining to alternative means
9 of acquiring and improving military family housing, mili-
10 tary unaccompanied housing, and supporting facilities.

11 (INCLUDING TRANSFER OF FUNDS)

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

23 SEC. 119. Notwithstanding any other provision of
24 law, funds made available in this title for operation and
25 maintenance of family housing shall be the exclusive

1 source of funds for repair and maintenance of all family
2 housing units, including general or flag officer quarters:
3 *Provided*, That not more than \$15,000 per unit may be
4 spent annually for the maintenance and repair of any gen-
5 eral or flag officer quarters without 30 days prior notifica-
6 tion, or 14 days for a notification provided in an electronic
7 medium pursuant to sections 480 and 2883 of title 10,
8 United States Code, to the Committees on Appropriations
9 of both Houses of Congress, except that an after-the-fact
10 notification shall be submitted if the limitation is exceeded
11 solely due to costs associated with environmental remedi-
12 ation that could not be reasonably anticipated at the time
13 of the budget submission.

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

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 121. During the 5-year period after appropria-
22 tions available in this Act to the Department of Defense
23 for military construction and family housing operation and
24 maintenance and construction have expired for obligation,
25 upon a determination that such appropriations will not be

1 necessary for the liquidation of obligations or for making
2 authorized adjustments to such appropriations for obliga-
3 tions incurred during the period of availability of such ap-
4 propriations, unobligated balances of such appropriations
5 may be transferred into the appropriation “Foreign Cur-
6 rency Fluctuations, Construction, Defense”, to be merged
7 with and to be available for the same time period and for
8 the same purposes as the appropriation to which trans-
9 ferred.

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

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

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

24 (b) EXCEPTION.—Subsection (a) shall not apply if
25 the Secretary of the Army certifies to the congressional

1 defense committees that in proposing the relocation of the
2 unit of the Army, the Secretary complied with Army Regu-
3 lation 5–10 relating to the policy, procedures, and respon-
4 sibilities for Army stationing actions.

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

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

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

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

22 “Military Construction, Navy and Marine
23 Corps”, \$126,900,000;

24 “Military Construction, Air Force”,
25 \$70,300,000;

(RESCISSIONS OF FUNDS)

SEC. 126. Of the unobligated balances available to the Department of Defense from prior appropriation Acts, the following funds are hereby rescinded from the following accounts in the amounts specified:

1 “Military Construction, Army”, \$10,000,000;
2 “Military Construction, Navy and Marine
3 Corps”, \$10,000,000;
4 “Military Construction, Defense-Wide”,
5 \$27,440,000;
6 “North Atlantic Treaty Organization Security
7 Investment Program”, \$25,000,000;
8 “Family Housing Construction, Army”,
9 \$18,000,000;
10 “Family Housing Construction, Navy and Ma-
11 rine Corps”, \$8,000,000; and
12 “Family Housing Construction, Air Force”,
13 \$20,000,000:

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

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

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

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

7 TITLE II

8 DEPARTMENT OF VETERANS AFFAIRS

9 VETERANS BENEFITS ADMINISTRATION

10 COMPENSATION AND PENSIONS

11 (INCLUDING TRANSFER OF FUNDS)

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

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

17 READJUSTMENT BENEFITS

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

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

VETERANS INSURANCE AND INDEMNITIES

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

VETERANS HOUSING BENEFIT PROGRAM FUND

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

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

3 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

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

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

16 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
17 ACCOUNT

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

21 GENERAL OPERATING EXPENSES, VETERANS BENEFITS
22 ADMINISTRATION

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

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

16 VETERANS HEALTH ADMINISTRATION

17 MEDICAL SERVICES

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

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

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

MEDICAL COMMUNITY CARE

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

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

3 MEDICAL SUPPORT AND COMPLIANCE

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

21 MEDICAL FACILITIES

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

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

20 MEDICAL AND PROSTHETIC RESEARCH

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

1 NATIONAL CEMETERY ADMINISTRATION

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

12 DEPARTMENTAL ADMINISTRATION

13 GENERAL ADMINISTRATION

14 (INCLUDING TRANSFER OF FUNDS)

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

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

3 BOARD OF VETERANS APPEALS

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

8 INFORMATION TECHNOLOGY SYSTEMS

9 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

1 (3) a strategic plan for development of the elec-
2 tronic health record system, an associated implemen-
3 tation plan including timelines and performance
4 milestones, a master schedule and annual and life-
5 cycle cost estimates;

6 (4) information on plans to maintain current
7 functionality and integration with Department of
8 Defense records during the transition to MHS Gen-
9 esis; and

10 (5) Department of Veterans Affairs plans to
11 manage the transition process to MHS Genesis, in-
12 cluding possible pilot programs, training for users,
13 and use of change management tools:

14 *Provided further*, That the funds made available under this
15 heading for information technology systems development,
16 modernization, and enhancement, shall be for the projects,
17 and in the amounts, specified under this heading in the
18 report accompanying this Act.

19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector
21 General, to include information technology, in carrying out
22 the provisions of the Inspector General Act of 1978 (5
23 U.S.C. App.), \$160,106,000, of which not to exceed 10
24 percent shall remain available until September 30, 2019.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$410,530,000, of which \$372,000,000 shall remain available until September 30, 2022, and of which \$38,530,000 shall remain available until expended: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design

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

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

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

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

22 CONSTRUCTION, MINOR PROJECTS

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

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

1 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
2 FACILITIES

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

10 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

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

16 ADMINISTRATIVE PROVISIONS

17 (INCLUDING TRANSFER OF FUNDS)

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

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

3 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

17 (INCLUDING TRANSFER OF FUNDS)

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

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management, the Office of Employment Discrimination Complaint Adjudication, the Office of Accountability Review, the Central Whistleblower Office, the Office of Diversity and Inclusion, and the Office of the Executive Director of Accountability and Whistleblower Protection, for all services provided at rates which will recover actual costs but not to exceed \$47,668,000 for the Office of Resolution Management, \$3,932,000 for the Office of Employment Discrimination Complaint Adjudication, \$10,057,000 for the Office of Accountability Review, \$6,646,000 for the Central Whistleblower Office, \$2,973,000 for the Office of Diversity and Inclusion, and \$917,000 for the Office of the Executive Director of Accountability and Whistleblower Protection: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the “General Administration” and “Information Technology Systems” accounts for use by the office that provided the service.

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

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

16 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

10 (INCLUDING TRANSFER OF FUNDS)

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

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

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

4 (INCLUDING TRANSFER OF FUNDS)

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

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

21 (INCLUDING TRANSFER OF FUNDS)

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

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

13 (INCLUDING TRANSFER OF FUNDS)

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

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

13 (INCLUDING TRANSFER OF FUNDS)

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

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

9 (INCLUDING TRANSFER OF FUNDS)

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

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 223. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 224. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further*, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

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

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 230. The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the “Medical Services” account any discretionary appropriations made available for fiscal year 2018 in this title (except appropriations made to the “General Operating Expenses, Veterans Benefits Administration” account) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2018, that were provided in advance by appropriations Acts: *Provided*, That transfers shall be made only with the approval of the Office of Management and Budget: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: *Provided further*, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by

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

10 (INCLUDING TRANSFER OF FUNDS)

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

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

(RESCISSIONS OF FUNDS)

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

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

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

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

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

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

(5) “Departmental Administration—General Operating Expenses, Veterans Benefits Administration”, \$35,470,000.

(6) “Departmental Administration—Information Technology Systems”, \$18,997,000.

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

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

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

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

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

19 (2) In this subsection—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (b) In this section:

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

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

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

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

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

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

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

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

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

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

1 UNITED STATES COURT OF APPEALS FOR VETERANS

2 CLAIMS

3 SALARIES AND EXPENSES

4 (INCLUDING TRANSFER OF FUNDS)

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

16 DEPARTMENT OF DEFENSE—CIVIL

17 CEMETERIAL EXPENSES, ARMY

18 SALARIES AND EXPENSES

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

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

6 ARMED FORCES RETIREMENT HOME

7 TRUST FUND

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

23 ADMINISTRATIVE PROVISIONS

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

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

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

9 TITLE IV

10 OVERSEAS CONTINGENCY OPERATIONS

11 DEPARTMENT OF DEFENSE

12 MILITARY CONSTRUCTION, ARMY

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

20 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

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

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

4 MILITARY CONSTRUCTION, AIR FORCE

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

12 MILITARY CONSTRUCTION, DEFENSE-WIDE

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

21 ADMINISTRATIVE PROVISION

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

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

4 TITLE V

5 GENERAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

24 (2) the report contains confidential or propri-
25 etary information.

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

5 SEC. 508. (a) None of the funds made available in
6 this Act may be used to maintain or establish a computer
7 network unless such network blocks the viewing,
8 downloading, and exchanging of pornography.

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

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

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

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

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

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

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

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

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

21 (2) is—

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

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

1 REFERENCES TO ACT

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

6 REFERENCE TO REPORT

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

13 SPENDING REDUCTION ACCOUNT

14 SEC. 515. \$0.

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

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

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

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

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

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

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

4 **DIVISION D—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES AP-**
5 **PROPRIATIONS ACT, 2018**
6

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2018, and for other purposes, namely:

12 TITLE I
13 CORPS OF ENGINEERS—CIVIL
14 DEPARTMENT OF THE ARMY
15 CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

22 INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction,

1 shore protection, aquatic ecosystem restoration, and re-
2 lated needs; for surveys and detailed studies, and plans
3 and specifications of proposed river and harbor, flood and
4 storm damage reduction, shore protection, and aquatic
5 ecosystem restoration projects, and related efforts prior to
6 construction; for restudy of authorized projects; and for
7 miscellaneous investigations, and, when authorized by law,
8 surveys and detailed studies, and plans and specifications
9 of projects prior to construction, \$105,000,000 (increased
10 by \$1,000,000), to remain available until expended: *Pro-*
11 *vided*, That the Secretary shall initiate six new study
12 starts during fiscal year 2018: *Provided further*, That the
13 new study starts shall consist of five studies where the
14 majority of the benefits are derived from navigation trans-
15 portation savings or from flood and storm damage reduc-
16 tion and one study where the majority of benefits are de-
17 rived from environmental restoration: *Provided further*,
18 That the Secretary shall not deviate from the new starts
19 proposed in the work plan, once the plan has been sub-
20 mitted to the Committees on Appropriations of both
21 Houses of Congress.

22 CONSTRUCTION

23 For expenses necessary for the construction of river
24 and harbor, flood and storm damage reduction, shore pro-
25 tection, aquatic ecosystem restoration, and related

1 projects authorized by law; for conducting detailed studies,
2 and plans and specifications, of such projects (including
3 those involving participation by States, local governments,
4 or private groups) authorized or made eligible for selection
5 by law (but such detailed studies, and plans and specifica-
6 tions, shall not constitute a commitment of the Govern-
7 ment to construction); \$1,697,000,000 (reduced by
8 \$10,000,000) (increased by \$10,000,000) (reduced by
9 \$10,000,000) (increased by \$10,000,000) (reduced by
10 \$45,000,000) (increased by \$45,000,000) (increased by
11 \$500,000), to remain available until expended; of which
12 such sums as are necessary to cover the Federal share of
13 construction costs for facilities under the Dredged Mate-
14 rial Disposal Facilities program shall be derived from the
15 Harbor Maintenance Trust Fund as authorized by Public
16 Law 104–303; and of which such sums as are necessary
17 to cover one-half of the costs of construction, replacement,
18 rehabilitation, and expansion of inland waterways projects
19 shall be derived from the Inland Waterways Trust Fund,
20 except as otherwise specifically provided for in law: *Pro-*
21 *vided*, That the Secretary may initiate up to, but not more
22 than, two new construction starts during fiscal year 2018:
23 *Provided further*, That the new construction starts shall
24 consist of two projects where the majority of the benefits
25 are derived from navigation transportation savings, flood

1 and storm damage reduction, or environmental restora-
2 tion: *Provided further*, That for new construction projects,
3 project cost sharing agreements shall be executed as soon
4 as practicable but no later than August 31, 2018: *Pro-*
5 *vided further*, That no allocation for a new start shall be
6 considered final and no work allowance shall be made until
7 the Secretary provides to the Committees on Appropria-
8 tions of both Houses of Congress an out-year funding sce-
9 nario demonstrating the affordability of the selected new
10 starts and the impacts on other projects: *Provided further*,
11 That the Secretary may not deviate from the new starts
12 proposed in the work plan, once the plan has been sub-
13 mitted to the Committees on Appropriations of both
14 Houses of Congress.

15 MISSISSIPPI RIVER AND TRIBUTARIES

16 For expenses necessary for flood damage reduction
17 projects and related efforts in the Mississippi River allu-
18 vial valley below Cape Girardeau, Missouri, as authorized
19 by law, \$301,000,000, to remain available until expended,
20 of which such sums as are necessary to cover the Federal
21 share of eligible operation and maintenance costs for in-
22 land harbors shall be derived from the Harbor Mainte-
23 nance Trust Fund.

1 OPERATION AND MAINTENANCE

2 For expenses necessary for the operation, mainte-
3 nance, and care of existing river and harbor, flood and
4 storm damage reduction, aquatic ecosystem restoration,
5 and related projects authorized by law; providing security
6 for infrastructure owned or operated by the Corps, includ-
7 ing administrative buildings and laboratories; maintaining
8 harbor channels provided by a State, municipality, or
9 other public agency that serve essential navigation needs
10 of general commerce, where authorized by law; surveying
11 and charting northern and northwestern lakes and con-
12 necting waters; clearing and straightening channels; and
13 removing obstructions to navigation, \$3,519,000,000 (in-
14 creased by \$325,000) (reduced by \$500,000) (increased
15 by \$500,000), to remain available until expended, of which
16 such sums as are necessary to cover the Federal share of
17 eligible operation and maintenance costs for coastal har-
18 bors and channels, and for inland harbors shall be derived
19 from the Harbor Maintenance Trust Fund; of which such
20 sums as become available from the special account for the
21 Corps of Engineers established by the Land and Water
22 Conservation Fund Act of 1965 shall be derived from that
23 account for resource protection, research, interpretation,
24 and maintenance activities related to resource protection
25 in the areas at which outdoor recreation is available; and

1 of which such sums as become available from fees collected
2 under section 217 of Public Law 104–303 shall be used
3 to cover the cost of operation and maintenance of the
4 dredged material disposal facilities for which such fees
5 have been collected: *Provided*, That 1 percent of the total
6 amount of funds provided for each of the programs,
7 projects, or activities funded under this heading shall not
8 be allocated to a field operating activity prior to the begin-
9 ning of the fourth quarter of the fiscal year and shall be
10 available for use by the Chief of Engineers to fund such
11 emergency activities as the Chief of Engineers determines
12 to be necessary and appropriate, and that the Chief of En-
13 gineers shall allocate during the fourth quarter any re-
14 maining funds which have not been used for emergency
15 activities proportionally in accordance with the amounts
16 provided for the programs, projects, or activities.

17 REGULATORY PROGRAM

18 For expenses necessary for administration of laws
19 pertaining to regulation of navigable waters and wetlands,
20 \$200,000,000, to remain available until September 30,
21 2019.

22 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

23 For expenses necessary to clean up contamination
24 from sites in the United States resulting from work per-

1 formed as part of the Nation's early atomic energy pro-
2 gram, \$118,000,000, to remain available until expended.

3 FLOOD CONTROL AND COASTAL EMERGENCIES

4 For expenses necessary to prepare for flood, hurri-
5 cane, and other natural disasters and support emergency
6 operations, repairs, and other activities in response to
7 such disasters as authorized by law, \$32,000,000, to re-
8 main available until expended.

9 EXPENSES

10 For expenses necessary for the supervision and gen-
11 eral administration of the civil works program in the head-
12 quarters of the Corps of Engineers and the offices of the
13 Division Engineers; and for costs of management and op-
14 eration of the Humphreys Engineer Center Support Activ-
15 ity, the Institute for Water Resources, the United States
16 Army Engineer Research and Development Center, and
17 the United States Army Corps of Engineers Finance Cen-
18 ter allocable to the civil works program, \$181,000,000 (re-
19 duced by \$1,000,000) (reduced by \$325,000) (reduced by
20 \$500,000), to remain available until September 30, 2019,
21 of which not to exceed \$5,000 may be used for official
22 reception and representation purposes and only during the
23 current fiscal year: *Provided*, That no part of any other
24 appropriation provided in this title shall be available to
25 fund the civil works activities of the Office of the Chief

1 of Engineers or the civil works executive direction and
2 management activities of the division offices: *Provided fur-*
3 *ther*, That any Flood Control and Coastal Emergencies ap-
4 propriation may be used to fund the supervision and gen-
5 eral administration of emergency operations, repairs, and
6 other activities in response to any flood, hurricane, or
7 other natural disaster.

8 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
9 FOR CIVIL WORKS

10 For the Office of the Assistant Secretary of the Army
11 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
12 \$4,764,000, to remain available until September 30, 2019:
13 *Provided*, That not more than 75 percent of such amount
14 may be obligated or expended until the Assistant Sec-
15 retary submits to the Committees on Appropriations of
16 both Houses of Congress a work plan that allocates at
17 least 95 percent of the additional funding provided under
18 each heading in this title (as designated under such head-
19 ing in the report of the Committee on Appropriations ac-
20 companying this Act) to specific programs, projects, or ac-
21 tivities.

1 GENERAL PROVISIONS—CORPS OF
2 ENGINEERS—CIVIL

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 101. (a) None of the funds provided in this title
5 shall be available for obligation or expenditure through a
6 reprogramming of funds that—

7 (1) creates or initiates a new program, project,
8 or activity;

9 (2) eliminates a program, project, or activity;

10 (3) increases funds or personnel for any pro-
11 gram, project, or activity for which funds have been
12 denied or restricted by this Act;

13 (4) reduces funds that are directed to be used
14 for a specific program, project, or activity by this
15 Act;

16 (5) increases funds for any program, project, or
17 activity by more than \$2,000,000 or 10 percent,
18 whichever is less; or

19 (6) reduces funds for any program, project, or
20 activity by more than \$2,000,000 or 10 percent,
21 whichever is less.

22 (b) Subsection (a)(1) shall not apply to any project
23 or activity authorized under section 205 of the Flood Con-
24 trol Act of 1948, section 14 of the Flood Control Act of
25 1946, section 208 of the Flood Control Act of 1954, sec-

1 tion 107 of the River and Harbor Act of 1960, section
2 103 of the River and Harbor Act of 1962, section 111
3 of the River and Harbor Act of 1968, section 1135 of the
4 Water Resources Development Act of 1986, section 206
5 of the Water Resources Development Act of 1996, or sec-
6 tion 204 of the Water Resources Development Act of
7 1992.

8 (c) The Corps of Engineers shall submit reports on
9 a quarterly basis to the Committees on Appropriations of
10 both Houses of Congress detailing all the funds repro-
11 grammed between programs, projects, activities, or cat-
12 egories of funding. The first quarterly report shall be sub-
13 mitted not later than 60 days after the date of enactment
14 of this Act.

15 SEC. 102. None of the funds made available in this
16 title may be used to award or modify any contract that
17 commits funds beyond the amounts appropriated for that
18 program, project, or activity that remain unobligated, ex-
19 cept that such amounts may include any funds that have
20 been made available through reprogramming pursuant to
21 section 101.

22 SEC. 103. The Secretary of the Army may transfer
23 to the Fish and Wildlife Service, and the Fish and Wildlife
24 Service may accept and expend, up to \$5,400,000 of funds
25 provided in this title under the heading “Operation and

1 Maintenance” to mitigate for fisheries lost due to Corps
2 of Engineers projects.

3 SEC. 104. None of the funds in this Act shall be used
4 for an open lake placement alternative for dredged mate-
5 rial, after evaluating the least costly, environmentally ac-
6 ceptable manner for the disposal or management of
7 dredged material originating from Lake Erie or tributaries
8 thereto, unless it is approved under a State water quality
9 certification pursuant to section 401 of the Federal Water
10 Pollution Control Act (33 U.S.C. 1341); *Provided further*,
11 That until an open lake placement alternative for dredged
12 material is approved under a State water quality certifi-
13 cation, the Corps of Engineers shall continue upland
14 placement of such dredged material consistent with the re-
15 quirements of section 101 of the Water Resources Devel-
16 opment Act of 1986 (33 U.S.C. 2211).

17 SEC. 105. None of the funds made available in this
18 title may be used for any acquisition that is not consistent
19 with 48 CFR 225.7007.

20 SEC. 106. None of the funds made available by this
21 Act may be used to carry out any water supply reallocation
22 study under the Wolf Creek Dam, Lake Cumberland, Ken-
23 tucky, project authorized under the Act of July 24, 1946
24 (60 Stat. 636, ch. 595).

1 SEC. 107. Notwithstanding section 404(f)(2) of the
2 Federal Water Pollution Control Act (33 U.S.C.
3 1344(f)(2)), none of the funds made available by this Act
4 may be used to require a permit for the discharge of
5 dredged or fill material under the Federal Water Pollution
6 Control Act (33 U.S.C. 1251 et seq.) for the activities
7 identified in subparagraphs (A) and (C) of section
8 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

9 SEC. 108. (a) AUTHORIZATION.—The Administrator
10 of the Environmental Protection Agency and the Secretary
11 of the Army may withdraw the Waters of the United
12 States rule without regard to any provision of statute or
13 regulation that establishes a requirement for such with-
14 drawal.

15 (b) EFFECT OF WITHDRAWAL.—Except as otherwise
16 provided by any Act or rule that takes effect after the date
17 of enactment of this Act, if the Administrator of the Envi-
18 ronmental Protection Agency and the Secretary of the
19 Army withdraw the Waters of the United States rule
20 under subsection (a), the Administrator and Secretary
21 shall implement the provisions of law under which such
22 rule was issued in accordance with the regulations and
23 guidance in effect under such provisions immediately be-
24 fore the effective date of such rule.

1 (c) DEFINITIONS.—In this section the term “Waters
2 of the United States rule” means the final rule issued by
3 the Administrator of the Environmental Protection Agen-
4 cy and the Secretary of the Army entitled “Clean Water
5 Rule: Definition of ‘Waters of the United States’” on
6 June 29, 2015 (80 Fed. Reg. 37053).

7 SEC. 109. As of the date of enactment of this Act
8 and each fiscal year thereafter, the Secretary of the Army
9 shall not promulgate or enforce any regulation that pro-
10 hibits an individual from possessing a firearm, including
11 an assembled or functional firearm, at a water resources
12 development project covered under section 327.0 of title
13 36, Code of Federal Regulations (as in effect on the date
14 of enactment of this Act), if—

15 (1) the individual is not otherwise prohibited by
16 law from possessing the firearm; and

17 (2) the possession of the firearm is in compli-
18 ance with the law of the State in which the water
19 resources development project is located.

20 TITLE II

21 DEPARTMENT OF THE INTERIOR

22 CENTRAL UTAH PROJECT

23 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

24 For carrying out activities authorized by the Central
25 Utah Project Completion Act, \$8,983,000, to remain

1 available until expended, of which \$898,000 shall be de-
2 posited into the Utah Reclamation Mitigation and Con-
3 servation Account for use by the Utah Reclamation Miti-
4 gation and Conservation Commission: *Provided*, That of
5 the amount provided under this heading, \$1,450,000 shall
6 be available until September 30, 2019, for expenses nec-
7 essary in carrying out related responsibilities of the Sec-
8 retary of the Interior: *Provided further*, That for fiscal
9 year 2018, of the amount made available to the Commis-
10 sion under this Act or any other Act, the Commission may
11 use an amount not to exceed \$1,500,000 for administra-
12 tive expenses.

13 BUREAU OF RECLAMATION

14 The following appropriations shall be expended to
15 execute authorized functions of the Bureau of Reclama-
16 tion:

17 WATER AND RELATED RESOURCES

18 (INCLUDING TRANSFERS OF FUNDS)

19 For management, development, and restoration of
20 water and related natural resources and for related activi-
21 ties, including the operation, maintenance, and rehabilita-
22 tion of reclamation and other facilities, participation in
23 fulfilling related Federal responsibilities to Native Ameri-
24 cans, and related grants to, and cooperative and other
25 agreements with, State and local governments, federally

1 recognized Indian tribes, and others, \$1,091,790,000, to
2 remain available until expended, of which \$67,693,000
3 shall be available for transfer to the Upper Colorado River
4 Basin Fund and \$5,551,000 shall be available for transfer
5 to the Lower Colorado River Basin Development Fund;
6 of which such amounts as may be necessary may be ad-
7 vanced to the Colorado River Dam Fund: *Provided*, That
8 such transfers may be increased or decreased within the
9 overall appropriation under this heading: *Provided further*,
10 That of the total appropriated, the amount for program
11 activities that can be financed by the Reclamation Fund
12 or the Bureau of Reclamation special fee account estab-
13 lished by 16 U.S.C. 6806 shall be derived from that Fund
14 or account: *Provided further*, That funds contributed
15 under 43 U.S.C. 395 are available until expended for the
16 purposes for which the funds were contributed: *Provided*
17 *further*, That funds advanced under 43 U.S.C. 397a shall
18 be credited to this account and are available until ex-
19 pended for the same purposes as the sums appropriated
20 under this heading: *Provided further*, That of the amounts
21 provided herein, funds may be used for high-priority
22 projects which shall be carried out by the Youth Conserva-
23 tion Corps, as authorized by 16 U.S.C. 1706.

1 CENTRAL VALLEY PROJECT RESTORATION FUND

2 For carrying out the programs, projects, plans, habi-
3 tat restoration, improvement, and acquisition provisions of
4 the Central Valley Project Improvement Act, \$41,376,000,
5 to be derived from such sums as may be collected in the
6 Central Valley Project Restoration Fund pursuant to sec-
7 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law
8 102–575, to remain available until expended: *Provided*,
9 That the Bureau of Reclamation is directed to assess and
10 collect the full amount of the additional mitigation and
11 restoration payments authorized by section 3407(d) of
12 Public Law 102–575: *Provided further*, That none of the
13 funds made available under this heading may be used for
14 the acquisition or leasing of water for in-stream purposes
15 if the water is already committed to in-stream purposes
16 by a court adopted decree or order.

17 CALIFORNIA BAY-DELTA RESTORATION

18 (INCLUDING TRANSFERS OF FUNDS)

19 For carrying out activities authorized by the Water
20 Supply, Reliability, and Environmental Improvement Act,
21 consistent with plans to be approved by the Secretary of
22 the Interior, \$37,000,000, to remain available until ex-
23 pended, of which such amounts as may be necessary to
24 carry out such activities may be transferred to appropriate
25 accounts of other participating Federal agencies to carry

1 out authorized purposes: *Provided*, That funds appro-
2 priated herein may be used for the Federal share of the
3 costs of CALFED Program management: *Provided fur-*
4 *ther*, That CALFED implementation shall be carried out
5 in a balanced manner with clear performance measures
6 demonstrating concurrent progress in achieving the goals
7 and objectives of the Program.

8 POLICY AND ADMINISTRATION

9 For expenses necessary for policy, administration,
10 and related functions in the Office of the Commissioner,
11 the Denver office, and offices in the five regions of the
12 Bureau of Reclamation, to remain available until Sep-
13 tember 30, 2019, \$59,000,000, to be derived from the
14 Reclamation Fund and be nonreimbursable as provided in
15 43 U.S.C. 377: *Provided*, That no part of any other appro-
16 priation in this Act shall be available for activities or func-
17 tions budgeted as policy and administration expenses.

18 ADMINISTRATIVE PROVISION

19 Appropriations for the Bureau of Reclamation shall
20 be available for purchase of not to exceed five passenger
21 motor vehicles, which are for replacement only.

1 GENERAL PROVISIONS—DEPARTMENT OF THE
2 INTERIOR

3 SEC. 201. (a) None of the funds provided in this title
4 shall be available for obligation or expenditure through a
5 reprogramming of funds that—

6 (1) creates or initiates a new program, project,
7 or activity;

8 (2) eliminates a program, project, or activity;

9 (3) increases funds for any program, project, or
10 activity for which funds have been denied or re-
11 stricted by this Act;

12 (4) restarts or resumes any program, project or
13 activity for which funds are not provided in this Act,
14 unless prior approval is received from the Commit-
15 tees on Appropriations of both Houses of Congress;

16 (5) transfers funds in excess of the following
17 limits—

18 (A) 15 percent for any program, project or
19 activity for which \$2,000,000 or more is avail-
20 able at the beginning of the fiscal year; or

21 (B) \$400,000 for any program, project or
22 activity for which less than \$2,000,000 is avail-
23 able at the beginning of the fiscal year;

24 (6) transfers more than \$500,000 from either
25 the Facilities Operation, Maintenance, and Rehabili-

1 tation category or the Resources Management and
2 Development category to any program, project, or
3 activity in the other category; or

4 (7) transfers, where necessary to discharge legal
5 obligations of the Bureau of Reclamation, more than
6 \$5,000,000 to provide adequate funds for settled
7 contractor claims, increased contractor earnings due
8 to accelerated rates of operations, and real estate de-
9 ficiency judgments.

10 (b) Subsection (a)(5) shall not apply to any transfer
11 of funds within the Facilities Operation, Maintenance, and
12 Rehabilitation category.

13 (c) For purposes of this section, the term “transfer”
14 means any movement of funds into or out of a program,
15 project, or activity.

16 (d) The Bureau of Reclamation shall submit reports
17 on a quarterly basis to the Committees on Appropriations
18 of both Houses of Congress detailing all the funds repro-
19 grammed between programs, projects, activities, or cat-
20 egories of funding. The first quarterly report shall be sub-
21 mitted not later than 60 days after the date of enactment
22 of this Act.

23 SEC. 202. (a) None of the funds appropriated or oth-
24 erwise made available by this Act may be used to deter-
25 mine the final point of discharge for the interceptor drain

1 for the San Luis Unit until development by the Secretary
2 of the Interior and the State of California of a plan, which
3 shall conform to the water quality standards of the State
4 of California as approved by the Administrator of the En-
5 vironmental Protection Agency, to minimize any detri-
6 mental effect of the San Luis drainage waters.

7 (b) The costs of the Kesterson Reservoir Cleanup
8 Program and the costs of the San Joaquin Valley Drain-
9 age Program shall be classified by the Secretary of the
10 Interior as reimbursable or nonreimbursable and collected
11 until fully repaid pursuant to the “Cleanup Program—
12 Alternative Repayment Plan” and the “SJVDP—Alter-
13 native Repayment Plan” described in the report entitled
14 “Repayment Report, Kesterson Reservoir Cleanup Pro-
15 gram and San Joaquin Valley Drainage Program, Feb-
16 ruary 1995”, prepared by the Department of the Interior,
17 Bureau of Reclamation. Any future obligations of funds
18 by the United States relating to, or providing for, drainage
19 service or drainage studies for the San Luis Unit shall
20 be fully reimbursable by San Luis Unit beneficiaries of
21 such service or studies pursuant to Federal reclamation
22 law.

23 SEC. 203. None of the funds in this Act shall be avail-
24 able to implement the Stipulation of Settlement (Natural
25 Resources Defense Council, et al. v. Kirk Rodgers, et al.,

1 Eastern District of California, No. Civ. 9 S–88–1658
2 LKK/GGH) or subtitle A of title X of Public Law 111–
3 11.

4 TITLE III

5 DEPARTMENT OF ENERGY

6 ENERGY PROGRAMS

7 ENERGY EFFICIENCY AND RENEWABLE ENERGY

8 For Department of Energy expenses including the
9 purchase, construction, and acquisition of plant and cap-
10 ital equipment, and other expenses necessary for energy
11 efficiency and renewable energy activities in carrying out
12 the purposes of the Department of Energy Organization
13 Act (42 U.S.C. 7101 et seq.), including the acquisition or
14 condemnation of any real property or any facility or for
15 plant or facility acquisition, construction, or expansion,
16 \$1,103,908,000 (reduced by \$48,000,000) (increased by
17 \$48,000,000) (reduced by \$1,000,000) (increased by
18 \$1,000,000) (reduced by \$33,400,000) (increased by
19 \$15,000,000), to remain available until expended: *Pro-*
20 *vided*, That of such amount, \$125,849,000 shall be avail-
21 able until September 30, 2019, for program direction.

22 ELECTRICITY DELIVERY AND ENERGY RELIABILITY

23 For Department of Energy expenses including the
24 purchase, construction, and acquisition of plant and cap-
25 ital equipment, and other expenses necessary for elec-

1 tricity delivery and energy reliability activities in carrying
2 out the purposes of the Department of Energy Organiza-
3 tion Act (42 U.S.C. 7101 et seq.), including the acquisi-
4 tion or condemnation of any real property or any facility
5 or for plant or facility acquisition, construction, or expan-
6 sion, \$218,500,000, to remain available until expended:
7 *Provided*, That of such amount, \$27,500,000 shall be
8 available until September 30, 2019, for program direction.

9 NUCLEAR ENERGY

10 For Department of Energy expenses including the
11 purchase, construction, and acquisition of plant and cap-
12 ital equipment, and other expenses necessary for nuclear
13 energy activities in carrying out the purposes of the De-
14 partment of Energy Organization Act (42 U.S.C. 7101 et
15 seq.), including the acquisition or condemnation of any
16 real property or any facility or for plant or facility acquisi-
17 tion, construction, or expansion, \$969,000,000, to remain
18 available until expended: *Provided*, That of such amount,
19 \$70,000,000 shall be available until September 30, 2019,
20 for program direction.

21 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

22 For Department of Energy expenses necessary in car-
23 rying out fossil energy research and development activi-
24 ties, under the authority of the Department of Energy Or-
25 ganization Act (42 U.S.C. 7101 et seq.), including the ac-

1 quisation of interest, including defeasible and equitable in-
2 terests in any real property or any facility or for plant
3 or facility acquisition or expansion, and for conducting in-
4 quiries, technological investigations and research con-
5 cerning the extraction, processing, use, and disposal of
6 mineral substances without objectionable social and envi-
7 ronmental costs (30 U.S.C. 3, 1602, and 1603),
8 \$634,600,000 (increased by \$33,400,000), to remain
9 available until expended: *Provided*, That of such amount
10 \$60,000,000 shall be available until September 30, 2019,
11 for program direction.

12 NAVAL PETROLEUM AND OIL SHALE RESERVES

13 For Department of Energy expenses necessary to
14 carry out naval petroleum and oil shale reserve activities,
15 \$4,900,000, to remain available until expended: *Provided*,
16 That notwithstanding any other provision of law, unobli-
17 gated funds remaining from prior years shall be available
18 for all naval petroleum and oil shale reserve activities.

19 STRATEGIC PETROLEUM RESERVE

20 For Department of Energy expenses necessary for
21 Strategic Petroleum Reserve facility development and op-
22 erations and program management activities pursuant to
23 the Energy Policy and Conservation Act (42 U.S.C. 6201
24 et seq.), \$252,000,000, to remain available until expended:
25 *Provided*, That as authorized by section 404 of the Bipar-

1 tisan Budget Act of 2015 (Public Law 114–74; 42 U.S.C.
 2 6239 note), the Secretary of Energy shall draw down and
 3 sell not to exceed \$350,000,000 of crude oil from the Stra-
 4 tegic Petroleum Reserve in fiscal year 2018: *Provided fur-*
 5 *ther*, That the proceeds from such drawdown and sale shall
 6 be deposited into the “Energy Security and Infrastructure
 7 Modernization Fund” during fiscal year 2018 and shall
 8 be made available and shall remain available until ex-
 9 pended for necessary expenses in carrying out the Life Ex-
 10 tension II project for the Strategic Petroleum Reserve.

11 NORTHEAST HOME HEATING OIL RESERVE

12 For Department of Energy expenses necessary for
 13 Northeast Home Heating Oil Reserve storage, operation,
 14 and management activities pursuant to the Energy Policy
 15 and Conservation Act (42 U.S.C. 6201 et seq.),
 16 \$6,500,000, to remain available until expended.

17 ENERGY INFORMATION ADMINISTRATION

18 For Department of Energy expenses necessary in car-
 19 rying out the activities of the Energy Information Admin-
 20 istration, \$118,000,000, to remain available until ex-
 21 pended.

22 NON-DEFENSE ENVIRONMENTAL CLEANUP

23 For Department of Energy expenses, including the
 24 purchase, construction, and acquisition of plant and cap-
 25 ital equipment and other expenses necessary for non-de-

1 fense environmental cleanup activities in carrying out the
2 purposes of the Department of Energy Organization Act
3 (42 U.S.C. 7101 et seq.), including the acquisition or con-
4 demnation of any real property or any facility or for plant
5 or facility acquisition, construction, or expansion,
6 \$222,400,000, to remain available until expended.

7 URANIUM ENRICHMENT DECONTAMINATION AND
8 DECOMMISSIONING FUND

9 For Department of Energy expenses necessary in car-
10 rying out uranium enrichment facility decontamination
11 and decommissioning, remedial actions, and other activi-
12 ties of title II of the Atomic Energy Act of 1954 and title
13 X, subtitle A, of the Energy Policy Act of 1992,
14 \$768,000,000, to be derived from the Uranium Enrich-
15 ment Decontamination and Decommissioning Fund, to re-
16 main available until expended, of which \$32,959,000 shall
17 be available in accordance with title X, subtitle A, of the
18 Energy Policy Act of 1992.

19 SCIENCE

20 For Department of Energy expenses including the
21 purchase, construction, and acquisition of plant and cap-
22 ital equipment, and other expenses necessary for science
23 activities in carrying out the purposes of the Department
24 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
25 cluding the acquisition or condemnation of any real prop-

erty or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 16 passenger motor vehicles for replacement only, including one ambulance and one bus, \$5,392,000,000 (increased by \$1,200,000), to remain available until expended: *Provided*, That of such amount, \$177,000,000 shall be available until September 30, 2019, for program direction.

NUCLEAR WASTE DISPOSAL

For Department of Energy expenses necessary for nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended (hereinafter referred to as the “NWPA”), including the acquisition of any real property or facility construction, or expansion, \$90,000,000, to remain available until expended, and to be derived from the Nuclear Waste Fund: *Provided*, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 1.62 percent shall be provided to the Office of the Attorney General of the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the NWPA: *Provided further*, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 2.91 percent

1 shall be provided to affected units of local government, as
2 defined in the NWPA, to conduct appropriate activities
3 and participate in licensing activities under Section 116(c)
4 of the NWPA: *Provided further*, That of the amounts pro-
5 vided to affected units of local government, 7.5 percent
6 of the funds provided for the affected units of local govern-
7 ment shall be made available to affected units of local gov-
8 ernment in California with the balance made available to
9 affected units of local government in Nevada for distribu-
10 tion as determined by the Nevada affected units of local
11 government: *Provided further*, That of the funds made
12 available in this Act for nuclear waste disposal and defense
13 nuclear waste disposal activities, 0.16 percent shall be pro-
14 vided to the affected Federally-recognized Indian tribes,
15 as defined in the NWPA, solely for expenditures, other
16 than salaries and expenses of tribal employees, to conduct
17 appropriate activities and participate in licensing activities
18 under section 118(b) of the NWPA: *Provided further*, That
19 of the funds made available in this Act for nuclear waste
20 disposal and defense nuclear waste disposal activities, 3.0
21 percent shall be provided to Nye County, Nevada, 0.05
22 percent shall be provided to Clark County, Nevada, and
23 0.46 percent shall be provided to the State of Nevada as
24 payment equal to taxes under section 116(c)(3) of the
25 NWPA: *Provided further*, That within 90 days of the com-

1 pletion of each Federal fiscal year, the Office of the Attor-
2 ney General of the State of Nevada, each affected Feder-
3 ally-recognized Indian tribe, and each of the affected units
4 of local government shall provide certification to the De-
5 partment of Energy that all funds expended from such
6 payments have been expended for activities authorized by
7 the NWPA and this Act: *Provided further*, That failure
8 to provide such certification shall cause such entity to be
9 prohibited from any further funding provided for similar
10 activities: *Provided further*, That none of the funds herein
11 appropriated may be: (1) used for litigation expenses; or
12 (2) used for interim storage activities; or (3) used to sup-
13 port multi-State efforts or other coalition building activi-
14 ties inconsistent with the restrictions contained in this
15 Act: *Provided further*, That all proceeds and recoveries re-
16 alized by the Secretary in carrying out activities author-
17 ized by the NWPA, including but not limited to any pro-
18 ceeds from the sale of assets, shall be credited to this ac-
19 count, to remain available until expended, for carrying out
20 the purposes of this account.

21 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE

22 PROGRAM

23 (INCLUDING RESCISSIONS OF FUNDS)

24 Such sums as are derived from amounts received
25 from borrowers pursuant to section 1702(b) of the Energy

1 Policy Act of 2005 (42 U.S.C. 16512(b)) under this head-
2 ing in prior Acts, shall be collected in accordance with sec-
3 tion 502(7) of the Congressional Budget Act of 1974: *Pro-*
4 *vided*, That for necessary administrative expenses to carry
5 out this Loan Guarantee program, \$2,000,000 is appro-
6 priated, to remain available until September 30, 2019:
7 *Provided further*, That \$2,000,000 of the fees collected
8 pursuant to section 1702(h) of the Energy Policy Act of
9 2005 shall be credited as offsetting collections to this ac-
10 count to cover administrative expenses and shall remain
11 available until expended, so as to result in a final fiscal
12 year 2018 appropriation from the general fund estimated
13 at not more than \$0: *Provided further*, That fees collected
14 under section 1702(h) in excess of the amount appro-
15 priated for administrative expenses shall not be available
16 until appropriated: *Provided further*, That the Department
17 of Energy shall not subordinate any loan obligation to
18 other financing in violation of section 1702 of the Energy
19 Policy Act of 2005 or subordinate any Guaranteed Obliga-
20 tion to any loan or other debt obligations in violation of
21 section 609.10 of title 10, Code of Federal Regulations:
22 *Provided further*, That of the subsidy amounts provided
23 by section 1425 of the Department of Defense and Full-
24 Year Continuing Appropriations Act, 2011 (Public Law
25 112–10; 125 Stat. 126), for the cost of loan guarantees

1 for renewable energy or efficient end-use energy tech-
2 nologies under section 1703 of the Energy Policy Act of
3 2005 (42 U.S.C. 16513), \$160,660,000 is hereby re-
4 scinded: *Provided further*, That the authority provided in
5 prior year appropriations Acts for commitments to guar-
6 antee loans under title XVII of the Energy Policy Act of
7 2005, excluding amounts for commitments made by Octo-
8 ber 1, 2017, is hereby rescinded.

9 ADVANCED TECHNOLOGY VEHICLES MANUFACTURING
10 LOAN PROGRAM

11 For Department of Energy administrative expenses
12 necessary in carrying out the Advanced Technology Vehi-
13 cles Manufacturing Loan Program, \$5,000,000, to remain
14 available until September 30, 2019.

15 TRIBAL ENERGY LOAN GUARANTEE PROGRAM

16 For Department of Energy administrative expenses
17 necessary in carrying out the Tribal Energy Loan Guar-
18 antee Program, \$500,000, to remain available until Sep-
19 tember 30, 2019.

20 DEPARTMENTAL ADMINISTRATION

21 For salaries and expenses of the Department of En-
22 ergy necessary for departmental administration in car-
23 rying out the purposes of the Department of Energy Orga-
24 nization Act (42 U.S.C. 7101 et seq.), \$281,693,000 (re-
25 duced by \$1,200,000) (reduced by \$15,000,000) (reduced

1 by \$1,000,000) (increased by \$1,000,000), to remain
2 available until September 30, 2019, including the hire of
3 passenger motor vehicles and official reception and rep-
4 resentation expenses not to exceed \$30,000, plus such ad-
5 ditional amounts as necessary to cover increases in the es-
6 timated amount of cost of work for others notwithstanding
7 the provisions of the Anti-Deficiency Act (31 U.S.C. 1511
8 et seq.): *Provided*, That such increases in cost of work are
9 offset by revenue increases of the same or greater amount:
10 *Provided further*, That moneys received by the Department
11 for miscellaneous revenues estimated to total \$96,000,000
12 in fiscal year 2018 may be retained and used for operating
13 expenses within this account, as authorized by section 201
14 of Public Law 95–238, notwithstanding the provisions of
15 31 U.S.C. 3302: *Provided further*, That the sum herein
16 appropriated shall be reduced as collections are received
17 during the fiscal year so as to result in a final fiscal year
18 2018 appropriation from the general fund estimated at
19 not more than \$185,693,000.

20 OFFICE OF THE INSPECTOR GENERAL

21 For expenses necessary for the Office of the Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, \$49,000,000, to remain available
24 until September 30, 2019.

1 ATOMIC ENERGY DEFENSE ACTIVITIES

2 NATIONAL NUCLEAR SECURITY

3 ADMINISTRATION

4 WEAPONS ACTIVITIES

5 For Department of Energy expenses, including the
6 purchase, construction, and acquisition of plant and cap-
7 ital equipment and other incidental expenses necessary for
8 atomic energy defense weapons activities in carrying out
9 the purposes of the Department of Energy Organization
10 Act (42 U.S.C. 7101 et seq.), including the acquisition or
11 condemnation of any real property or any facility or for
12 plant or facility acquisition, construction, or expansion,
13 \$10,239,344,000 (reduced by \$10,000,000) (increased by
14 \$10,000,000), to remain available until expended: *Pro-*
15 *vided*, That of such amount, \$105,600,000 shall be avail-
16 able until September 30, 2019, for program direction.

17 DEFENSE NUCLEAR NONPROLIFERATION

18 (INCLUDING RESCISSION OF FUNDS)

19 For Department of Energy expenses, including the
20 purchase, construction, and acquisition of plant and cap-
21 ital equipment and other incidental expenses necessary for
22 defense nuclear nonproliferation activities, in carrying out
23 the purposes of the Department of Energy Organization
24 Act (42 U.S.C. 7101 et seq.), including the acquisition or
25 condemnation of any real property or any facility or for

1 plant or facility acquisition, construction, or expansion,
2 \$1,825,461,000, to remain available until expended: *Pro-*
3 *vided*, That funds provided by this Act for Project 99–
4 D–143, Mixed Oxide Fuel Fabrication Facility, and by
5 prior Acts that remain unobligated for such Project, may
6 be made available only for construction and project sup-
7 port activities for such Project: *Provided further*, That of
8 the unobligated balances from prior year appropriations
9 available under this heading, \$49,000,000 is hereby re-
10 scinded: *Provided further*, That no amounts may be re-
11 scinded from amounts that were designated by the Con-
12 gress as an emergency requirement pursuant to a concur-
13 rent resolution on the budget or the Balanced Budget and
14 Emergency Deficit Control Act of 1985.

15 NAVAL REACTORS

16 (INCLUDING TRANSFER OF FUNDS)

17 For Department of Energy expenses necessary for
18 naval reactors activities to carry out the Department of
19 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
20 ing the acquisition (by purchase, condemnation, construc-
21 tion, or otherwise) of real property, plant, and capital
22 equipment, facilities, and facility expansion,
23 \$1,486,000,000, to remain available until expended, of
24 which, \$82,500,000 shall be transferred to “Department
25 of Energy—Energy Programs—Nuclear Energy”, for the

1 Advanced Test Reactor: *Provided*, That of such amount,
2 \$46,651,000 shall be available until September 30, 2019,
3 for program direction.

4 FEDERAL SALARIES AND EXPENSES

5 For expenses necessary for Federal Salaries and Ex-
6 penses in the National Nuclear Security Administration,
7 \$412,595,000, to remain available until September 30,
8 2019, including official reception and representation ex-
9 penses not to exceed \$12,000.

10 ENVIRONMENTAL AND OTHER DEFENSE

11 ACTIVITIES

12 DEFENSE ENVIRONMENTAL CLEANUP

13 For Department of Energy expenses, including the
14 purchase, construction, and acquisition of plant and cap-
15 ital equipment and other expenses necessary for atomic
16 energy defense environmental cleanup activities in car-
17 rying out the purposes of the Department of Energy Orga-
18 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
19 sition or condemnation of any real property or any facility
20 or for plant or facility acquisition, construction, or expan-
21 sion, \$5,405,000,000, to remain available until expended:
22 *Provided*, That of such amount, \$300,000,000 shall be
23 available until September 30, 2019, for program direction.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$825,000,000, to remain available until expended: *Provided*, That of such amount, \$284,400,000 shall be available until September 30, 2019, for program direction.

DEFENSE NUCLEAR WASTE DISPOSAL

For Department of Energy expenses necessary for nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, as amended, including the acquisition of real property or facility construction or expansion, \$30,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation ex-

1 penses in an amount not to exceed \$5,000: *Provided*, That
2 during fiscal year 2018, no new direct loan obligations
3 may be made.

4 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
5 ADMINISTRATION

6 For expenses necessary for operation and mainte-
7 nance of power transmission facilities and for marketing
8 electric power and energy, including transmission wheeling
9 and ancillary services, pursuant to section 5 of the Flood
10 Control Act of 1944 (16 U.S.C. 825s), as applied to the
11 southeastern power area, \$6,379,000, including official re-
12 ception and representation expenses in an amount not to
13 exceed \$1,500, to remain available until expended: *Pro-*
14 *vided*, That notwithstanding 31 U.S.C. 3302 and section
15 5 of the Flood Control Act of 1944, up to \$6,379,000 col-
16 lected by the Southeastern Power Administration from the
17 sale of power and related services shall be credited to this
18 account as discretionary offsetting collections, to remain
19 available until expended for the sole purpose of funding
20 the annual expenses of the Southeastern Power Adminis-
21 tration: *Provided further*, That the sum herein appro-
22 priated for annual expenses shall be reduced as collections
23 are received during the fiscal year so as to result in a final
24 fiscal year 2018 appropriation estimated at not more than
25 \$0: *Provided further*, That notwithstanding 31 U.S.C.

1 3302, up to \$51,000,000 collected by the Southeastern
2 Power Administration pursuant to the Flood Control Act
3 of 1944 to recover purchase power and wheeling expenses
4 shall be credited to this account as offsetting collections,
5 to remain available until expended for the sole purpose
6 of making purchase power and wheeling expenditures:
7 *Provided further*, That for purposes of this appropriation,
8 annual expenses means expenditures that are generally re-
9 covered in the same year that they are incurred (excluding
10 purchase power and wheeling expenses).

11 OPERATION AND MAINTENANCE, SOUTHWESTERN

12 POWER ADMINISTRATION

13 For expenses necessary for operation and mainte-
14 nance of power transmission facilities and for marketing
15 electric power and energy, for construction and acquisition
16 of transmission lines, substations and appurtenant facili-
17 ties, and for administrative expenses, including official re-
18 ception and representation expenses in an amount not to
19 exceed \$1,500 in carrying out section 5 of the Flood Con-
20 trol Act of 1944 (16 U.S.C. 825s), as applied to the
21 Southwestern Power Administration, \$30,288,000, to re-
22 main available until expended: *Provided*, That notwith-
23 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
24 trol Act of 1944 (16 U.S.C. 825s), up to \$18,888,000 col-
25 lected by the Southwestern Power Administration from

1 the sale of power and related services shall be credited to
2 this account as discretionary offsetting collections, to re-
3 main available until expended, for the sole purpose of
4 funding the annual expenses of the Southwestern Power
5 Administration: *Provided further*, That the sum herein ap-
6 propriated for annual expenses shall be reduced as collec-
7 tions are received during the fiscal year so as to result
8 in a final fiscal year 2018 appropriation estimated at not
9 more than \$11,400,000: *Provided further*, That notwith-
10 standing 31 U.S.C. 3302, up to \$10,000,000 collected by
11 the Southwestern Power Administration pursuant to the
12 Flood Control Act of 1944 to recover purchase power and
13 wheeling expenses shall be credited to this account as off-
14 setting collections, to remain available until expended for
15 the sole purpose of making purchase power and wheeling
16 expenditures: *Provided further*, That for purposes of this
17 appropriation, annual expenses means expenditures that
18 are generally recovered in the same year that they are in-
19 curred (excluding purchase power and wheeling expenses).

20 CONSTRUCTION, REHABILITATION, OPERATION AND
21 MAINTENANCE, WESTERN AREA POWER ADMINIS-
22 TRATION

23 For carrying out the functions authorized by title III,
24 section 302(a)(1)(E) of the Act of August 4, 1977 (42
25 U.S.C. 7152), and other related activities including con-

1 servation and renewable resources programs as author-
2 ized, \$232,276,000, including official reception and rep-
3 resentation expenses in an amount not to exceed \$1,500,
4 to remain available until expended, of which \$230,251,000
5 shall be derived from the Department of the Interior Rec-
6 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
7 3302, section 5 of the Flood Control Act of 1944 (16
8 U.S.C. 825s), and section 1 of the Interior Department
9 Appropriation Act, 1939 (43 U.S.C. 392a), up to
10 \$138,904,000 collected by the Western Area Power Ad-
11 ministration from the sale of power and related services
12 shall be credited to this account as discretionary offsetting
13 collections, to remain available until expended, for the sole
14 purpose of funding the annual expenses of the Western
15 Area Power Administration: *Provided further*, That the
16 sum herein appropriated for annual expenses shall be re-
17 duced as collections are received during the fiscal year so
18 as to result in a final fiscal year 2018 appropriation esti-
19 mated at not more than \$93,372,000, of which
20 \$91,347,000 is derived from the Reclamation Fund: *Pro-*
21 *vided further*, That notwithstanding 31 U.S.C. 3302, up
22 to \$179,000,000 collected by the Western Area Power Ad-
23 ministration pursuant to the Flood Control Act of 1944
24 and the Reclamation Project Act of 1939 to recover pur-
25 chase power and wheeling expenses shall be credited to

1 this account as offsetting collections, to remain available
2 until expended for the sole purpose of making purchase
3 power and wheeling expenditures: *Provided further*, That
4 for purposes of this appropriation, annual expenses means
5 expenditures that are generally recovered in the same year
6 that they are incurred (excluding purchase power and
7 wheeling expenses).

8 FALCON AND AMISTAD OPERATING AND MAINTENANCE
9 FUND

10 For operation, maintenance, and emergency costs for
11 the hydroelectric facilities at the Falcon and Amistad
12 Dams, \$4,176,000, to remain available until expended,
13 and to be derived from the Falcon and Amistad Operating
14 and Maintenance Fund of the Western Area Power Ad-
15 ministration, as provided in section 2 of the Act of June
16 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
17 the provisions of that Act and of 31 U.S.C. 3302, up to
18 \$3,948,000 collected by the Western Area Power Adminis-
19 tration from the sale of power and related services from
20 the Falcon and Amistad Dams shall be credited to this
21 account as discretionary offsetting collections, to remain
22 available until expended for the sole purpose of funding
23 the annual expenses of the hydroelectric facilities of these
24 Dams and associated Western Area Power Administration
25 activities: *Provided further*, That the sum herein appro-

1 priated for annual expenses shall be reduced as collections
2 are received during the fiscal year so as to result in a final
3 fiscal year 2018 appropriation estimated at not more than
4 \$228,000: *Provided further*, That for purposes of this ap-
5 propriation, annual expenses means expenditures that are
6 generally recovered in the same year that they are in-
7 curred: *Provided further*, That for fiscal year 2018, the
8 Administrator of the Western Area Power Administration
9 may accept up to \$872,000 in funds contributed by United
10 States power customers of the Falcon and Amistad Dams
11 for deposit into the Falcon and Amistad Operating and
12 Maintenance Fund, and such funds shall be available for
13 the purpose for which contributed in like manner as if said
14 sums had been specifically appropriated for such purpose:
15 *Provided further*, That any such funds shall be available
16 without further appropriation and without fiscal year limi-
17 tation for use by the Commissioner of the United States
18 Section of the International Boundary and Water Com-
19 mission for the sole purpose of operating, maintaining, re-
20 pairing, rehabilitating, replacing, or upgrading the hydro-
21 electric facilities at these Dams in accordance with agree-
22 ments reached between the Administrator, Commissioner,
23 and the power customers.

1 FEDERAL ENERGY REGULATORY COMMISSION
2 SALARIES AND EXPENSES

3 For expenses necessary for the Federal Energy Regu-
4 latory Commission to carry out the provisions of the De-
5 partment of Energy Organization Act (42 U.S.C. 7101 et
6 seq.), including services as authorized by 5 U.S.C. 3109,
7 official reception and representation expenses not to ex-
8 ceed \$3,000, and the hire of passenger motor vehicles,
9 \$367,600,000, to remain available until expended: *Pro-*
10 *vided*, That notwithstanding any other provision of law,
11 not to exceed \$367,600,000 of revenues from fees and an-
12 nual charges, and other services and collections in fiscal
13 year 2018 shall be retained and used for expenses nec-
14 essary in this account, and shall remain available until ex-
15 pended: *Provided further*, That the sum herein appro-
16 priated from the general fund shall be reduced as revenues
17 are received during fiscal year 2018 so as to result in a
18 final fiscal year 2018 appropriation from the general fund
19 estimated at not more than \$0.

20 GENERAL PROVISIONS—DEPARTMENT OF
21 ENERGY

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 301. (a) No appropriation, funds, or authority
24 made available by this title for the Department of Energy
25 shall be used to initiate or resume any program, project,

1 or activity or to prepare or initiate Requests For Proposals
2 or similar arrangements (including Requests for
3 Quotations, Requests for Information, and Funding Op-
4 portunity Announcements) for a program, project, or ac-
5 tivity if the program, project, or activity has not been
6 funded by Congress.

7 (b)(1) Unless the Secretary of Energy notifies the
8 Committees on Appropriations of both Houses of Congress
9 at least 3 full business days in advance, none of the funds
10 made available in this title may be used to—

11 (A) make a grant allocation or discretionary
12 grant award totaling \$1,000,000 or more;

13 (B) make a discretionary contract award or
14 Other Transaction Agreement totaling \$1,000,000
15 or more, including a contract covered by the Federal
16 Acquisition Regulation;

17 (C) issue a letter of intent to make an alloca-
18 tion, award, or Agreement in excess of the limits in
19 subparagraph (A) or (B); or

20 (D) announce publicly the intention to make an
21 allocation, award, or Agreement in excess of the lim-
22 its in subparagraph (A) or (B).

23 (2) The Secretary of Energy shall submit to the Com-
24 mittees on Appropriations of both Houses of Congress
25 within 15 days of the conclusion of each quarter a report

1 detailing each grant allocation or discretionary grant
2 award totaling less than \$1,000,000 provided during the
3 previous quarter.

4 (3) The notification required by paragraph (1) and
5 the report required by paragraph (2) shall include the re-
6 cipient of the award, the amount of the award, the fiscal
7 year for which the funds for the award were appropriated,
8 the account and program, project, or activity from which
9 the funds are being drawn, the title of the award, and
10 a brief description of the activity for which the award is
11 made.

12 (c) The Department of Energy may not, with respect
13 to any program, project, or activity that uses budget au-
14 thority made available in this title under the heading “De-
15 partment of Energy—Energy Programs”, enter into a
16 multiyear contract, award a multiyear grant, or enter into
17 a multiyear cooperative agreement unless—

18 (1) the contract, grant, or cooperative agree-
19 ment is funded for the full period of performance as
20 anticipated at the time of award; or

21 (2) the contract, grant, or cooperative agree-
22 ment includes a clause conditioning the Federal Gov-
23 ernment’s obligation on the availability of future
24 year budget authority and the Secretary notifies the

1 Committees on Appropriations of both Houses of
2 Congress at least 3 days in advance.

3 (d) Except as provided in subsections (e), (f), and (g),
4 the amounts made available by this title shall be expended
5 as authorized by law for the programs, projects, and ac-
6 tivities specified in the “Bill” column in the “Department
7 of Energy” table included under the heading “Title III—
8 Department of Energy” in the report of the Committee
9 on Appropriations accompanying this Act.

10 (e) The amounts made available by this title may be
11 reprogrammed for any program, project, or activity, and
12 the Department shall notify the Committees on Appropria-
13 tions of both Houses of Congress at least 30 days prior
14 to the use of any proposed reprogramming that would
15 cause any program, project, or activity funding level to
16 increase or decrease by more than \$5,000,000 or 10 per-
17 cent, whichever is less, during the time period covered by
18 this Act.

19 (f) None of the funds provided in this title shall be
20 available for obligation or expenditure through a re-
21 programming of funds that—

22 (1) creates, initiates, or eliminates a program,
23 project, or activity;

1 (2) increases funds or personnel for any pro-
2 gram, project, or activity for which funds are denied
3 or restricted by this Act; or

4 (3) reduces funds that are directed to be used
5 for a specific program, project, or activity by this
6 Act.

7 (g)(1) The Secretary of Energy may waive any re-
8 quirement or restriction in this section that applies to the
9 use of funds made available for the Department of Energy
10 if compliance with such requirement or restriction would
11 pose a substantial risk to human health, the environment,
12 welfare, or national security.

13 (2) The Secretary of Energy shall notify the Commit-
14 tees on Appropriations of both Houses of Congress of any
15 waiver under paragraph (1) as soon as practicable, but
16 not later than 3 days after the date of the activity to which
17 a requirement or restriction would otherwise have applied.
18 Such notice shall include an explanation of the substantial
19 risk under paragraph (1) that permitted such waiver.

20 (h) The unexpended balances of prior appropriations
21 provided for activities in this Act may be available to the
22 same appropriation accounts for such activities established
23 pursuant to this title. Available balances may be merged
24 with funds in the applicable established accounts and

1 thereafter may be accounted for as one fund for the same
2 time period as originally enacted.

3 SEC. 302. Funds appropriated by this or any other
4 Act, or made available by the transfer of funds in this
5 Act, for intelligence activities are deemed to be specifically
6 authorized by the Congress for purposes of section 504
7 of the National Security Act of 1947 (50 U.S.C. 3094)
8 during fiscal year 2018 until the enactment of the Intel-
9 ligence Authorization Act for fiscal year 2018.

10 SEC. 303. None of the funds made available in this
11 title shall be used for the construction of facilities classi-
12 fied as high-hazard nuclear facilities under 10 CFR Part
13 830 unless independent oversight is conducted by the Of-
14 fice of Enterprise Assessments to ensure the project is in
15 compliance with nuclear safety requirements.

16 SEC. 304. None of the funds made available in this
17 title may be used to approve critical decision-2 or critical
18 decision-3 under Department of Energy Order 413.3B, or
19 any successive departmental guidance, for construction
20 projects where the total project cost exceeds
21 \$100,000,000, until a separate independent cost estimate
22 has been developed for the project for that critical deci-
23 sion.

24 SEC. 305. (a) None of the funds made available in
25 this or any prior Act under the heading “Defense Nuclear

1 Nonproliferation” may be made available to enter into new
2 contracts with, or new agreements for Federal assistance
3 to, the Russian Federation.

4 (b) The Secretary of Energy may waive the prohibi-
5 tion in subsection (a) if the Secretary determines that
6 such activity is in the national security interests of the
7 United States. This waiver authority may not be dele-
8 gated.

9 (c) A waiver under subsection (b) shall not be effec-
10 tive until 15 days after the date on which the Secretary
11 submits to the Committees on Appropriations of both
12 Houses of Congress, in classified form if necessary, a re-
13 port on the justification for the waiver.

14 SEC. 306. Notwithstanding section 161 of the Energy
15 Policy and Conservation Act (42 U.S.C. 6241), upon a
16 determination by the President in this fiscal year that a
17 regional supply shortage of refined petroleum product of
18 significant scope and duration exists, that a severe in-
19 crease in the price of refined petroleum product will likely
20 result from such shortage, and that a draw down and sale
21 of refined petroleum product would assist directly and sig-
22 nificantly in reducing the adverse impact of such shortage,
23 the Secretary of Energy may draw down and sell refined
24 petroleum product from the Strategic Petroleum Reserve.
25 Proceeds from a sale under this section shall be deposited

1 into the SPR Petroleum Account established in section
2 167 of the Energy Policy and Conservation Act (42 U.S.C.
3 6247), and such amounts shall be available for obligation,
4 without fiscal year limitation, consistent with that section.

5 SEC. 307. (a) DRAWDOWN AND SALE.—Notwith-
6 standing section 161 of the Energy Policy and Conserva-
7 tion Act (42 U.S.C. 6241), and in addition to sales author-
8 ized in sections 403 and 404 of the Bipartisan Budget
9 Act of 2015 (42 U.S.C. 6241; 42 U.S.C. 6239 note) and
10 section 5010 of the 21st Century Cures Act (42 U.S.C.
11 6241 note), the Secretary of Energy shall draw down and
12 sell up to \$8,400,000 of crude oil from the Strategic Pe-
13 troleum Reserve during this fiscal year.

14 (b) PROCEEDS.—Proceeds from a sale under this sec-
15 tion shall be deposited into the SPR Petroleum Account
16 during this fiscal year and shall be available for the costs
17 of crude oil sales authorized in sections 403 and 404 of
18 the Bipartisan Budget Act of 2015 (42 U.S.C. 6241; 42
19 U.S.C. 6239 note) and section 5010 of the 21st Century
20 Cures Act (42 U.S.C. 6241 note), to remain available until
21 expended.

22 (c) EMERGENCY PROTECTION.—The Secretary shall
23 not draw down and sell crude oil under this section in
24 amounts that would limit the authority to sell petroleum
25 products under section 161(h) of the Energy Policy and

1 Conservation Act (42 U.S.C. 6241(h)) in the full amount
2 authorized by that subsection.

3 SEC. 308. (a) NEW REGIONAL RESERVES.—The Sec-
4 retary of Energy may not establish any new regional pe-
5 troleum product reserve unless funding for the proposed
6 regional petroleum product reserve is explicitly requested
7 in advance in an annual budget submission and approved
8 by the Congress in an appropriations Act.

9 (b) The budget request or notification shall include—

10 (1) the justification for the new reserve;

11 (2) a cost estimate for the establishment, oper-
12 ation, and maintenance of the reserve, including
13 funding sources;

14 (3) a detailed plan for operation of the reserve,
15 including the conditions upon which the products
16 may be released;

17 (4) the location of the reserve; and

18 (5) the estimate of the total inventory of the re-
19 serve.

20 SEC. 309. Of the amounts made available under this
21 title, not more than \$267,901,000 may be transferred to
22 the working capital fund established under section 653 of
23 the Department of Energy Organization Act (42 U.S.C.
24 7263).

1 TITLE IV
2 INDEPENDENT AGENCIES
3 APPALACHIAN REGIONAL COMMISSION

4 For expenses necessary to carry out the programs au-
5 thorized by the Appalachian Regional Development Act of
6 1965, and for expenses necessary for the Federal Co-
7 Chairman and the Alternate on the Appalachian Regional
8 Commission, for payment of the Federal share of the ad-
9 ministrative expenses of the Commission, including serv-
10 ices as authorized by 5 U.S.C. 3109, and hire of passenger
11 motor vehicles, \$130,000,000, to remain available until ex-
12 pended.

13 DEFENSE NUCLEAR FACILITIES SAFETY BOARD
14 SALARIES AND EXPENSES

15 For expenses necessary for the Defense Nuclear Fa-
16 cilities Safety Board in carrying out activities authorized
17 by chapter 21 of the Atomic Energy Act of 1954 (42
18 U.S.C. 2286 et seq.), \$30,600,000, to remain available
19 until September 30, 2019.

20 DELTA REGIONAL AUTHORITY
21 SALARIES AND EXPENSES

22 For expenses necessary for the Delta Regional Au-
23 thority and to carry out its activities, as authorized by
24 the Delta Regional Authority Act of 2000, notwith-
25 standing sections 382C(b)(2), 382F(d), 382M, and 382N

1 of said Act, \$15,000,000, to remain available until ex-
2 pended.

3 DENALI COMMISSION

4 For expenses necessary for the Denali Commission
5 including the purchase, construction, and acquisition of
6 plant and capital equipment as necessary and other ex-
7 penses, \$11,000,000, to remain available until expended,
8 notwithstanding the limitations contained in section
9 306(g) of the Denali Commission Act of 1998: *Provided*,
10 That funds shall be available for construction projects in
11 an amount not to exceed 80 percent of total project cost
12 for distressed communities, as defined by section 307 of
13 the Denali Commission Act of 1998 (division C, title III,
14 Public Law 105–277), as amended by section 701 of ap-
15 pendix D, title VII, Public Law 106–113 (113 Stat.
16 1501A–280), and an amount not to exceed 50 percent for
17 non-distressed communities: *Provided further*, That not-
18 withstanding any other provision of law regarding pay-
19 ment of a non-Federal share in connection with a grant-
20 in-aid program, amounts under this heading shall be avail-
21 able for the payment of such a non-Federal share for pro-
22 grams undertaken to carry out the purposes of the Com-
23 mission.

1 NORTHERN BORDER REGIONAL COMMISSION

2 For expenses necessary for the Northern Border Re-
3 gional Commission in carrying out activities authorized by
4 subtitle V of title 40, United States Code, \$5,000,000, to
5 remain available until expended: *Provided*, That such
6 amounts shall be available for administrative expenses,
7 notwithstanding section 15751(b) of title 40, United
8 States Code.

9 SOUTHEAST CRESCENT REGIONAL COMMISSION

10 For expenses necessary for the Southeast Crescent
11 Regional Commission in carrying out activities authorized
12 by subtitle V of title 40, United States Code, \$250,000,
13 to remain available until expended.

14 NUCLEAR REGULATORY COMMISSION

15 SALARIES AND EXPENSES

16 For expenses necessary for the Commission in car-
17 rying out the purposes of the Energy Reorganization Act
18 of 1974 and the Atomic Energy Act of 1954,
19 \$939,137,000, including official representation expenses
20 not to exceed \$25,000, to remain available until expended,
21 of which \$30,000,000 shall be derived from the Nuclear
22 Waste Fund: *Provided*, That of the amount appropriated
23 herein, not more than \$9,500,000 may be made available
24 for salaries, travel, and other support costs for the Office
25 of the Commission, to remain available until September

1 30, 2019, of which, notwithstanding section 201(a)(2)(c)
2 of the Energy Reorganization Act of 1974 (42 U.S.C.
3 5841(a)(2)(c)), the use and expenditure shall only be ap-
4 proved by a majority vote of the Commission: *Provided*
5 *further*, That revenues from licensing fees, inspection serv-
6 ices, and other services and collections estimated at
7 \$779,829,000 in fiscal year 2018 shall be retained and
8 used for necessary salaries and expenses in this account,
9 notwithstanding 31 U.S.C. 3302, and shall remain avail-
10 able until expended: *Provided further*, That of the
11 amounts appropriated under this heading, not less than
12 \$10,000,000 shall be for activities related to the develop-
13 ment of regulatory infrastructure for advanced nuclear
14 technologies, and \$16,200,000 shall be for international
15 activities, except that the amounts provided under this
16 proviso shall not be derived from fee revenues, notwith-
17 standing 42 U.S.C. 2214: *Provided further*, That the sum
18 herein appropriated shall be reduced by the amount of rev-
19 enues received during fiscal year 2018 so as to result in
20 a final fiscal year 2018 appropriation estimated at not
21 more than \$159,308,000: *Provided further*, That of the
22 amounts appropriated under this heading, \$10,000,000
23 shall be for university research and development in areas
24 relevant to the Commission's mission, and \$5,000,000
25 shall be for a Nuclear Science and Engineering Grant Pro-

1 gram that will support multiyear projects that do not align
2 with programmatic missions but are critical to maintain-
3 ing the discipline of nuclear science and engineering.

4 OFFICE OF INSPECTOR GENERAL

5 For expenses necessary for the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, \$12,859,000, to remain available
8 until September 30, 2019: *Provided*, That revenues from
9 licensing fees, inspection services, and other services and
10 collections estimated at \$10,555,000 in fiscal year 2018
11 shall be retained and be available until September 30,
12 2019, for necessary salaries and expenses in this account,
13 notwithstanding section 3302 of title 31, United States
14 Code: *Provided further*, That the sum herein appropriated
15 shall be reduced by the amount of revenues received dur-
16 ing fiscal year 2018 so as to result in a final fiscal year
17 2018 appropriation estimated at not more than
18 \$2,304,000: *Provided further*, That of the amounts appro-
19 priated under this heading, \$1,131,000 shall be for In-
20 spector General services for the Defense Nuclear Facilities
21 Safety Board, which shall not be available from fee reve-
22 nues.

3 For expenses necessary for the Nuclear Waste Tech-
4 nical Review Board, as authorized by Public Law 100-
5 203, section 5051, \$3,600,000, to be derived from the Nu-
6 clear Waste Fund, to remain available until September 30,
7 2019.

8 GENERAL PROVISIONS—INDEPENDENT
9 AGENCIES

10 SEC. 401. The Nuclear Regulatory Commission shall
11 comply with the July 5, 2011, version of chapter VI of
12 its Internal Commission Procedures when responding to
13 Congressional requests for information.

SEC. 402. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project, or activity, and the Commission shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program funding level to increase or decrease by more than \$500,000 or 10 percent, whichever is less, during the time period covered by this Act.

(b)(1) The Nuclear Regulatory Commission may waive the notification requirement in subsection (a) if compliance with such requirement would pose a substan-

1 tial risk to human health, the environment, welfare, or na-
2 tional security.

3 (2) The Nuclear Regulatory Commission shall notify
4 the Committees on Appropriations of both Houses of Con-
5 gress of any waiver under paragraph (1) as soon as prac-
6 ticable, but not later than 3 days after the date of the
7 activity to which a requirement or restriction would other-
8 wise have applied. Such notice shall include an explanation
9 of the substantial risk under paragraph (1) that permitted
10 such waiver and shall provide a detailed report to the
11 Committees of such waiver and changes to funding levels
12 to programs, projects, or activities.

13 (c) Except as provided in subsections (a), (b), and
14 (d), the amounts made available by this title for “Nuclear
15 Regulatory Commission—Salaries and Expenses” shall be
16 expended as directed in the report of the Committee on
17 Appropriations accompanying this Act.

18 (d) None of the funds provided for the Nuclear Regu-
19 latory Commission shall be available for obligation or ex-
20 penditure through a reprogramming of funds that in-
21 creases funds or personnel for any program, project, or
22 activity for which funds are denied or restricted by this
23 Act.

24 (e) The Commission shall provide a monthly report
25 to the Committees on Appropriations of both Houses of

1 Congress, which includes the following for each program,
2 project, or activity, including any prior year appropria-
3 tions—

- 4 (1) total budget authority;
- 5 (2) total unobligated balances; and
- 6 (3) total unliquidated obligations.

7 TITLE V

8 GENERAL PROVISIONS

9 SEC. 501. None of the funds appropriated by this Act
10 may be used in any way, directly or indirectly, to influence
11 congressional action on any legislation or appropriation
12 matters pending before Congress, other than to commu-
13 nicate to Members of Congress as described in 18 U.S.C.
14 1913.

15 SEC. 502. (a) None of the funds made available in
16 title III of this Act may be transferred to any department,
17 agency, or instrumentality of the United States Govern-
18 ment, except pursuant to a transfer made by or transfer
19 authority provided in this Act or any other appropriations
20 Act for any fiscal year, transfer authority referenced in
21 the report of the Committee on Appropriations accom-
22 panying this Act, or any authority whereby a department,
23 agency, or instrumentality of the United States Govern-
24 ment may provide goods or services to another depart-
25 ment, agency, or instrumentality.

1 (b) None of the funds made available for any depart-
2 ment, agency, or instrumentality of the United States
3 Government may be transferred to accounts funded in title
4 III of this Act, except pursuant to a transfer made by or
5 transfer authority provided in this Act or any other appro-
6 priations Act for any fiscal year, transfer authority ref-
7 erenced in the report of the Committee on Appropriations
8 accompanying this Act, or any authority whereby a de-
9 partment, agency, or instrumentality of the United States
10 Government may provide goods or services to another de-
11 partment, agency, or instrumentality.

12 (c) The head of any relevant department or agency
13 funded in this Act utilizing any transfer authority shall
14 submit to the Committees on Appropriations of both
15 Houses of Congress a semiannual report detailing the
16 transfer authorities, except for any authority whereby a
17 department, agency, or instrumentality of the United
18 States Government may provide goods or services to an-
19 other department, agency, or instrumentality, used in the
20 previous 6 months and in the year-to-date. This report
21 shall include the amounts transferred and the purposes
22 for which they were transferred, and shall not replace or
23 modify existing notification requirements for each author-
24 ity.

1 SEC. 503. None of the funds made available by this
2 Act may be used in contravention of Executive Order No.
3 12898 of February 11, 1994 (Federal Actions to Address
4 Environmental Justice in Minority Populations and Low-
5 Income Populations).

6 SEC. 504. (a) None of the funds made available in
7 this Act may be used to maintain or establish a computer
8 network unless such network blocks the viewing,
9 downloading, and exchanging of pornography.

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

14 SEC. 505. None of the funds made available by this
15 Act may be used to further implementation of the coastal
16 and marine spatial planning and ecosystem-based manage-
17 ment components of the National Ocean Policy developed
18 under Executive Order No. 13547 of July 19, 2010.

19 SEC. 506. None of the funds made available by this
20 Act may be used for the removal of any federally owned
21 or operated dam unless the removal was previously author-
22 ized by Congress.

23 SEC. 507. None of the funds made available by this
24 Act may be used to conduct closure of adjudicatory func-
25 tions, technical review, or support activities associated

1 with the Yucca Mountain geologic repository license appli-
2 cation, or for actions that irrevocably remove the possi-
3 bility that Yucca Mountain may be a repository option in
4 the future.

5 REFERENCES TO ACT

6 SEC. 508. Except as expressly provided otherwise,
7 any reference to “this Act” contained in this division shall
8 be treated as referring only to the provisions of this divi-
9 sion.

10 REFERENCE TO REPORT

11 SEC. 509. Any reference to a “report accompanying
12 this Act” contained in this division shall be treated as a
13 reference to House Report 115–230. The effect of such
14 Report shall be limited to this division and shall apply for
15 purposes of determining the allocation of funds provided
16 by, and the implementation of, this division.

17 SPENDING REDUCTION ACCOUNT

18 SEC. 510. \$0.

19 SEC. 511. None of the funds made available by this
20 division may be used for the Cape Wind Energy Project
21 on the Outer Continental Shelf off Massachusetts, Nan-
22 tucket Sound.

23 SEC. 512. For “Department of Energy—Electricity
24 Delivery and Energy Reliability” for energy storage sys-
25 tems demonstrations as authorized by section 641 of the

1 Energy Independence and Security Act of 2007 (42
2 U.S.C. 17231), there is hereby appropriated, and the
3 amount otherwise provided by this Act for “Department
4 of Energy—Departmental Administration” is hereby re-
5 duced by, \$10,000,000.

6 SEC. 513. None of the funds made available by this
7 Act may be used in contravention of section 2102 of the
8 Water Resources Reform and Development Act of 2014
9 or section 210 of the Water Resources Development Act
10 of 1986.

11 SEC. 514. None of the funds made available under
12 title I of division D of this Act may be used to require
13 an economic re-evaluation of any project authorized under
14 title VIII of the Water Resources Development Act of
15 2007.

16 SEC. 515. The amounts otherwise provided by this
17 Act are revised by reducing the amount made available
18 for “Corps of Engineers-Civil—Investigations”, and in-
19 creasing the amount made available for the same account,
20 by \$3,000,000.

21 SEC. 516. The amounts otherwise provided by this
22 Act are revised by reducing the amount made available
23 for “Corps of Engineers-Civil—Construction”, and in-
24 creasing the amount made available for the same account,
25 by \$100,000,000.

1 SEC. 517. None of the funds made available by this
2 Act for “Department of Energy—Energy Programs—
3 Science” may be used in contravention of the Department
4 of Energy Organization Act (42 U.S.C. 7101 et seq.).

5 SEC. 518. None of the funds made available by this
6 Act may be used to prepare, propose, or promulgate any
7 regulation or guidance that references or relies on the
8 analysis contained in—

9 (1) “Technical Support Document: Social Cost
10 of Carbon for Regulatory Impact Analysis Under
11 Executive Order 12866”, published by the Inter-
12 agency Working Group on Social Cost of Carbon,
13 United States Government, in February 2010;

14 (2) “Technical Support Document: Technical
15 Update of the Social Cost of Carbon for Regulatory
16 Impact Analysis Under Executive Order 12866”,
17 published by the Interagency Working Group on So-
18 cial Cost of Carbon, United States Government, in
19 May 2013 and revised in November 2013;

20 (3) “Revised Draft Guidance for Federal De-
21 partments and Agencies on Consideration of Green-
22 house Gas Emissions and the Effects of Climate
23 Change in NEPA Reviews”, published by the Coun-
24 cil on Environmental Quality on December 24, 2014
25 (79 Fed. Reg. 77801);

1 (4) “Technical Support Document: Technical
2 Update of the Social Cost of Carbon for Regulatory
3 Impact Analysis Under Executive Order 12866”,
4 published by the Interagency Working Group on So-
5 cial Cost of Carbon, United States Government, in
6 July 2015;

7 (5) “Addendum to the Technical Support Docu-
8 ment on Social Cost of Carbon for Regulatory Im-
9 pact Analysis Under Executive Order 12866: Appli-
10 cation of the Methodology to Estimate the Social
11 Cost of Methane and the Social Cost of Nitrous
12 Oxide”, published by the Interagency Working
13 Group on Social Cost of Greenhouse Gases, United
14 States Government, in August 2016; or

15 (6) “Technical Support Document: Technical
16 Update of the Social Cost of Carbon for Regulatory
17 Impact Analysis Under Executive Order 12866”,
18 published by the Interagency Working Group on So-
19 cial Cost of Greenhouse Gases, United States Gov-
20 ernment, in August 2016.

21 SEC. 519. None of the funds made available in this
22 division may be used—

23 (1) to implement or enforce section 430.32(x)
24 of title 10, Code of Federal Regulations; or

1 (2) to implement or enforce the standards es-
2 tablished by the tables contained in section
3 325(i)(1)(B) of the Energy Policy and Conservation
4 Act (42 U.S.C. 6295(i)(1)(B)) with respect to
5 BPAR incandescent reflector lamps, BR incandes-
6 cent reflector lamps, and ER incandescent reflector
7 lamps.

8 This Act may be cited as the “Energy and Water De-
9 velopment and Related Agencies Appropriations Act,
10 2018”.

11 **DIVISION E—DEPARTMENT OF**
12 **HOMELAND SECURITY BOR-**
13 **DER INFRASTRUCTURE CON-**
14 **STRUCTION APPROPRIATION**
15 **ACT, 2018**

16 The following sums are appropriated, out of any
17 money in the Treasury not otherwise appropriated, for the
18 Department of Homeland Security for the fiscal year end-
19 ing September 30, 2018, namely:

20 U.S. CUSTOMS AND BORDER PROTECTION

21 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

22 For necessary expenses for U.S. Customs and Border
23 Protection for procurement, construction, and improve-
24 ments, \$1,571,239,000, to remain available until Sep-
25 tember 30, 2020, which shall be available as follows:

10 REFERENCES TO ACT

11 SEC. 101. Except as expressly provided otherwise,
12 any reference to “this Act” contained in this division shall
13 be treated as referring only to the provisions of this divi-
14 sion.

15 This Act may be cited as the “Department of Home-
16 land Security Border Infrastructure Construction Appro-
17 priations Act, 2018”.

Passed the House of Representatives July 27, 2017.

Attest: KAREN L. HAAS,
Clerk.

Calendar No. 187

115TH CONGRESS
1ST Session

H. R. 3219

AN ACT

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

AUGUST 1, 2017

Read the second time and placed on the calendar