

113TH CONGRESS
1ST SESSION

H. R. 2397

AN ACT

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes.

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

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 fiscal year ending September 30, 2014, for military func-
4 tions administered by the Department of Defense and for
5 other purposes, namely:

6 TITLE I

7 MILITARY PERSONNEL

8 MILITARY PERSONNEL, ARMY

9 For pay, allowances, individual clothing, subsistence,
10 interest on deposits, gratuities, permanent change of sta-
11 tion travel (including all expenses thereof for organiza-
12 tional movements), and expenses of temporary duty travel
13 between permanent duty stations, for members of the
14 Army on active duty, (except members of reserve compo-
15 nents provided for elsewhere), cadets, and aviation cadets;
16 for members of the Reserve Officers' Training Corps; and
17 for payments pursuant to section 156 of Public Law 97-
18 377, as amended (42 U.S.C. 402 note), and to the Depart-
19 ment of Defense Military Retirement Fund,
20 \$40,908,919,000.

21 MILITARY PERSONNEL, NAVY

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

1 between permanent duty stations, for members of the
2 Navy on active duty (except members of the Reserve pro-
3 vided for elsewhere), midshipmen, and aviation cadets; for
4 members of the Reserve Officers' Training Corps; and for
5 payments pursuant to section 156 of Public Law 97-377,
6 as amended (42 U.S.C. 402 note), and to the Department
7 of Defense Military Retirement Fund, \$27,671,555,000.

8 MILITARY PERSONNEL, MARINE CORPS

9 For pay, allowances, individual clothing, subsistence,
10 interest on deposits, gratuities, permanent change of sta-
11 tion travel (including all expenses thereof for organiza-
12 tional movements), and expenses of temporary duty travel
13 between permanent duty stations, for members of the Ma-
14 rine Corps on active duty (except members of the Reserve
15 provided for elsewhere); and for payments pursuant to sec-
16 tion 156 of Public Law 97-377, as amended (42 U.S.C.
17 402 note), and to the Department of Defense Military Re-
18 tirement Fund, \$12,826,857,000.

19 MILITARY PERSONNEL, AIR FORCE

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

1 nents provided for elsewhere), cadets, and aviation cadets;
2 for members of the Reserve Officers' Training Corps; and
3 for payments pursuant to section 156 of Public Law 97–
4 377, as amended (42 U.S.C. 402 note), and to the Depart-
5 ment of Defense Military Retirement Fund,
6 \$28,382,963,000.

7 RESERVE PERSONNEL, ARMY

8 For pay, allowances, clothing, subsistence, gratuities,
9 travel, and related expenses for personnel of the Army Re-
10 serve on active duty under sections 10211, 10302, and
11 3038 of title 10, United States Code, or while serving on
12 active duty under section 12301(d) of title 10, United
13 States Code, in connection with performing duty specified
14 in section 12310(a) of title 10, United States Code, or
15 while undergoing reserve training, or while performing
16 drills or equivalent duty or other duty, and expenses au-
17 thorized by section 16131 of title 10, United States Code;
18 and for payments to the Department of Defense Military
19 Retirement Fund, \$4,483,343,000.

20 RESERVE PERSONNEL, NAVY

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

1 nection with performing duty specified in section 12310(a)
2 of title 10, United States Code, or while undergoing re-
3 serve training, or while performing drills or equivalent
4 duty, and expenses authorized by section 16131 of title
5 10, United States Code; and for payments to the Depart-
6 ment of Defense Military Retirement Fund,
7 \$1,875,536,000.

8 RESERVE PERSONNEL, MARINE CORPS

9 For pay, allowances, clothing, subsistence, gratuities,
10 travel, and related expenses for personnel of the Marine
11 Corps Reserve on active duty under section 10211 of title
12 10, United States Code, or while serving on active duty
13 under section 12301(d) of title 10, 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 reserve training, or while performing drills or equiv-
17 alent duty, and for members of the Marine Corps platoon
18 leaders class, and expenses authorized by section 16131
19 of title 10, United States Code; and for payments to the
20 Department of Defense Military Retirement Fund,
21 \$665,499,000.

22 RESERVE PERSONNEL, AIR FORCE

23 For pay, allowances, clothing, subsistence, gratuities,
24 travel, and related expenses for personnel of the Air Force
25 Reserve on active duty under sections 10211, 10305, and

1 8038 of title 10, United States Code, or while serving on
2 active duty under section 12301(d) of title 10, United
3 States Code, in connection with performing duty specified
4 in section 12310(a) of title 10, United States Code, or
5 while undergoing reserve training, or while performing
6 drills or equivalent duty or other duty, and expenses au-
7 thorized by section 16131 of title 10, United States Code;
8 and for payments to the Department of Defense Military
9 Retirement Fund, \$1,745,579,000.

10 NATIONAL GUARD PERSONNEL, ARMY

11 For pay, allowances, clothing, subsistence, gratuities,
12 travel, and related expenses for personnel of the Army Na-
13 tional Guard while on duty under section 10211, 10302,
14 or 12402 of title 10 or section 708 of title 32, United
15 States Code, or while serving on duty under section
16 12301(d) of title 10 or section 502(f) of title 32, United
17 States Code, in connection with performing duty specified
18 in section 12310(a) of title 10, United States Code, or
19 while undergoing training, or while performing drills or
20 equivalent duty or other duty, and expenses authorized by
21 section 16131 of title 10, United States Code; and for pay-
22 ments to the Department of Defense Military Retirement
23 Fund, \$7,958,568,000.

1 NATIONAL GUARD PERSONNEL, AIR FORCE

2 For pay, allowances, clothing, subsistence, gratuities,
3 travel, and related expenses for personnel of the Air Na-
4 tional Guard on duty under section 10211, 10305, or
5 12402 of title 10 or section 708 of title 32, United States
6 Code, or while serving on duty under section 12301(d) of
7 title 10 or section 502(f) of title 32, United States Code,
8 in connection with performing duty specified in section
9 12310(a) of title 10, United States Code, or while under-
10 going training, or while performing drills or equivalent
11 duty or other duty, and expenses authorized by section
12 16131 of title 10, United States Code; and for payments
13 to the Department of Defense Military Retirement Fund,
14 \$3,130,361,000.

15 TITLE II

16 OPERATION AND MAINTENANCE

17 OPERATION AND MAINTENANCE, ARMY

18 For expenses, not otherwise provided for, necessary
19 for the operation and maintenance of the Army, as author-
20 ized by law; and not to exceed \$12,478,000 can be used
21 for emergencies and extraordinary expenses, to be ex-
22 pended on the approval or authority of the Secretary of
23 the Army, and payments may be made on his certificate
24 of necessity for confidential military purposes,
25 \$35,183,796,000 (increased by \$5,000,000).

1 OPERATION AND MAINTENANCE, NAVY

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance of the Navy and the
4 Marine Corps, as authorized by law; and not to exceed
5 \$15,055,000 can be used for emergencies and extraor-
6 dinary expenses, to be expended on the approval or author-
7 ity of the Secretary of the Navy, and payments may be
8 made on his certificate of necessity for confidential mili-
9 tary purposes, \$40,127,402,000 (increased by
10 \$2,500,000).

11 OPERATION AND MAINTENANCE, MARINE CORPS

12 For expenses, not otherwise provided for, necessary
13 for the operation and maintenance of the Marine Corps,
14 as authorized by law, \$6,298,757,000 (increased by
15 \$10,000,000).

16 OPERATION AND MAINTENANCE, AIR FORCE

17 For expenses, not otherwise provided for, necessary
18 for the operation and maintenance of the Air Force, as
19 authorized by law; and not to exceed \$7,699,000 can be
20 used for emergencies and extraordinary expenses, to be ex-
21 pended on the approval or authority of the Secretary of
22 the Air Force, and payments may be made on his certifi-
23 cate of necessity for confidential military purposes,
24 \$37,438,701,000 (increased by \$2,500,000).

1 OPERATION AND MAINTENANCE, DEFENSE-WIDE

2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance of activities and agen-
5 cies of the Department of Defense (other than the military
6 departments), as authorized by law, \$32,301,685,000 (re-
7 duced by \$11,000,000) (reduced by \$25,000,000) (re-
8 duced by \$10,000,000) (reduced by \$10,000,000) (in-
9 creased by \$10,000,000) (reduced by \$1,000,000) (in-
10 creased by \$1,000,000) (reduced by \$10,000,000) (re-
11 duced by \$11,000,000) (reduced by \$10,000,000) (in-
12 creased by \$10,000,000) (reduced by \$3,000,000) (in-
13 creased by \$3,000,000) (reduced by \$65,000,000) (in-
14 creased by \$65,000,000) (reduced by \$10,000,000): *Pro-*
15 *vided*, That not more than \$25,000,000 may be used for
16 the Combatant Commander Initiative Fund authorized
17 under section 166a of title 10, United States Code: *Pro-*
18 *vided further*, That not to exceed \$36,000,000 can be used
19 for emergencies and extraordinary expenses, to be ex-
20 pended on the approval or authority of the Secretary of
21 Defense, and payments may be made on his certificate of
22 necessity for confidential military purposes: *Provided fur-*
23 *ther*, That of the funds provided under this heading, not
24 less than \$36,262,000 shall be made available for the Pro-
25 curement Technical Assistance Cooperative Agreement

1 Program, of which not less than \$3,600,000 shall be avail-
2 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*
3 *vided further*, That none of the funds appropriated or oth-
4 erwise made available by this Act may be used to plan
5 or implement the consolidation of a budget or appropria-
6 tions liaison office of the Office of the Secretary of De-
7 fense, the office of the Secretary of a military department,
8 or the service headquarters of one of the Armed Forces
9 into a legislative affairs or legislative liaison office: *Pro-*
10 *vided further*, That \$8,721,000, to remain available until
11 expended, is available only for expenses relating to certain
12 classified activities, and may be transferred as necessary
13 by the Secretary of Defense to operation and maintenance
14 appropriations or research, development, test and evalua-
15 tion appropriations, to be merged with and to be available
16 for the same time period as the appropriations to which
17 transferred: *Provided further*, That any ceiling on the in-
18 vestment item unit cost of items that may be purchased
19 with operation and maintenance funds shall not apply to
20 the funds described in the preceding proviso: *Provided fur-*
21 *ther*, That the transfer authority provided under this head-
22 ing is in addition to any other transfer authority provided
23 elsewhere in this Act.

1 OPERATION AND MAINTENANCE, ARMY RESERVE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance, including training, or-
4 ganization, and administration, of the Army Reserve; re-
5 pair of facilities and equipment; hire of passenger motor
6 vehicles; travel and transportation; care of the dead; re-
7 cruiting; procurement of services, supplies, and equip-
8 ment; and communications, \$3,199,151,000.

9 OPERATION AND MAINTENANCE, NAVY RESERVE

10 For expenses, not otherwise provided for, necessary
11 for the operation and maintenance, including training, or-
12 ganization, and administration, of the Navy Reserve; re-
13 pair of facilities and equipment; hire of passenger motor
14 vehicles; travel and transportation; care of the dead; re-
15 cruiting; procurement of services, supplies, and equip-
16 ment; and communications, \$1,200,283,000.

17 OPERATION AND MAINTENANCE, MARINE CORPS

18 RESERVE

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance, including training, or-
21 ganization, and administration, of the Marine Corps Re-
22 serve; repair of facilities and equipment; hire of passenger
23 motor vehicles; travel and transportation; care of the dead;
24 recruiting; procurement of services, supplies, and equip-
25 ment; and communications, \$266,561,000.

1 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance, including training, or-
4 ganization, and administration, of the Air Force Reserve;
5 repair of facilities and equipment; hire of passenger motor
6 vehicles; travel and transportation; care of the dead; re-
7 cruiting; procurement of services, supplies, and equip-
8 ment; and communications, \$3,149,046,000.

9 OPERATION AND MAINTENANCE, ARMY NATIONAL

10 GUARD

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

1 equipment (including aircraft), \$7,102,113,000 (increased
2 by \$5,000,000).

3 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

4 For expenses of training, organizing, and admin-
5 istering the Air National Guard, including medical and
6 hospital treatment and related expenses in non-Federal
7 hospitals; maintenance, operation, and repairs to struc-
8 tures and facilities; transportation of things, hire of pas-
9 senger motor vehicles; supplying and equipping the Air
10 National Guard, as authorized by law; expenses for repair,
11 modification, maintenance, and issue of supplies and
12 equipment, including those furnished from stocks under
13 the control of agencies of the Department of Defense;
14 travel expenses (other than mileage) on the same basis as
15 authorized by law for Air National Guard personnel on
16 active Federal duty, for Air National Guard commanders
17 while inspecting units in compliance with National Guard
18 Bureau regulations when specifically authorized by the
19 Chief, National Guard Bureau, \$6,675,999,000 (increased
20 by \$5,000,000).

21 UNITED STATES COURT OF APPEALS FOR THE ARMED

22 FORCES

23 For salaries and expenses necessary for the United
24 States Court of Appeals for the Armed Forces,

1 \$13,606,000, of which not to exceed \$5,000 may be used
2 for official representation purposes.

3 ENVIRONMENTAL RESTORATION, ARMY

4 (INCLUDING TRANSFER OF FUNDS)

5 For the Department of the Army, \$298,815,000 (re-
6 duced by \$500,000), to remain available until transferred:
7 *Provided*, That the Secretary of the Army shall, upon de-
8 termining that such funds are required for environmental
9 restoration, reduction and recycling of hazardous waste,
10 removal of unsafe buildings and debris of the Department
11 of the Army, or for similar purposes, transfer the funds
12 made available by this appropriation to other appropria-
13 tions made available to the Department of the Army, to
14 be merged with and to be available for the same purposes
15 and for the same time period as the appropriations to
16 which transferred: *Provided further*, That upon a deter-
17 mination that all or part of the funds transferred from
18 this appropriation are not necessary for the purposes pro-
19 vided herein, such amounts may be transferred back to
20 this appropriation: *Provided further*, That the transfer au-
21 thority provided under this heading is in addition to any
22 other transfer authority provided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, NAVY
2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Navy, \$316,103,000, to
4 remain available until transferred: *Provided*, That the Sec-
5 retary of the Navy shall, upon determining that such
6 funds are required for environmental restoration, reduc-
7 tion and recycling of hazardous waste, removal of unsafe
8 buildings and debris of the Department of the Navy, or
9 for similar purposes, transfer the funds made available by
10 this appropriation to other appropriations made available
11 to the Department of the Navy, to be merged with and
12 to be available for the same purposes and for the same
13 time period as the appropriations to which transferred:
14 *Provided further*, That upon a determination that all or
15 part of the funds transferred from this appropriation are
16 not necessary for the purposes provided herein, such
17 amounts may be transferred back to this appropriation:
18 *Provided further*, That the transfer authority provided
19 under this heading is in addition to any other transfer au-
20 thority provided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, AIR FORCE
22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of the Air Force, \$439,820,000,
24 to remain available until transferred: *Provided*, That the
25 Secretary of the Air Force shall, upon determining that

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

16 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
17 (INCLUDING TRANSFER OF FUNDS)

18 For the Department of Defense, \$10,757,000, to re-
19 main available until transferred: *Provided*, That the Sec-
20 retary of Defense shall, upon determining that such funds
21 are required for environmental restoration, reduction and
22 recycling of hazardous waste, removal of unsafe buildings
23 and debris of the Department of Defense, or for similar
24 purposes, transfer the funds made available by this appro-
25 priation to other appropriations made available to the De-

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

11 ENVIRONMENTAL RESTORATION, FORMERLY USED

12 DEFENSE SITES

13 (INCLUDING TRANSFER OF FUNDS)

14 For the Department of the Army, \$262,443,000, 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 at sites formerly used by the Depart-
20 ment of Defense, transfer the funds made available by this
21 appropriation to other appropriations made available to
22 the Department of the Army, to be merged with and to
23 be available for the same purposes and for the same time
24 period as the appropriations to which transferred: *Pro-*
25 *vided further*, That upon a determination that all or part

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

7 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

8 For expenses relating to the Overseas Humanitarian,
9 Disaster, and Civic Aid programs of the Department of
10 Defense (consisting of the programs provided under sec-
11 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
12 United States Code), \$109,500,000, to remain available
13 until September 30, 2015.

14 COOPERATIVE THREAT REDUCTION ACCOUNT

15 For assistance to the republics of the former Soviet
16 Union and, with appropriate authorization by the Depart-
17 ment of Defense and Department of State, to countries
18 outside of the former Soviet Union, including assistance
19 provided by contract or by grants, for facilitating the
20 elimination and the safe and secure transportation and
21 storage of nuclear, chemical and other weapons; for estab-
22 lishing programs to prevent the proliferation of weapons,
23 weapons components, and weapon-related technology and
24 expertise; for programs relating to the training and sup-
25 port of defense and military personnel for demilitarization

1 and protection of weapons, weapons components and
2 weapons technology and expertise, and for defense and
3 military contacts, \$528,455,000, to remain available until
4 September 30, 2016.

5 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE
6 DEVELOPMENT FUND

7 For the Department of Defense Acquisition Work-
8 force Development Fund, \$51,031,000.

9 TITLE III
10 PROCUREMENT

11 AIRCRAFT PROCUREMENT, ARMY

12 For construction, procurement, production, modifica-
13 tion, and modernization of aircraft, equipment, including
14 ordnance, ground handling equipment, spare parts, and
15 accessories therefor; specialized equipment and training
16 devices; expansion of public and private plants, including
17 the land necessary therefor, for the foregoing purposes,
18 and such lands and interests therein, may be acquired,
19 and construction prosecuted thereon prior to approval of
20 title; and procurement and installation of equipment, ap-
21 pliances, and machine tools in public and private plants;
22 reserve plant and Government and contractor-owned
23 equipment layaway; and other expenses necessary for the
24 foregoing purposes, \$5,236,653,000, to remain available
25 for obligation until September 30, 2016.

1 MISSILE PROCUREMENT, ARMY

2 For construction, procurement, production, modifica-
3 tion, and modernization of missiles, equipment, including
4 ordnance, ground handling equipment, spare parts, and
5 accessories therefor; specialized equipment and training
6 devices; expansion of public and private plants, including
7 the land necessary therefor, for the foregoing purposes,
8 and such lands and interests therein, may be acquired,
9 and construction prosecuted thereon prior to approval of
10 title; and procurement and installation of equipment, ap-
11 pliances, and machine tools in public and private plants;
12 reserve plant and Government and contractor-owned
13 equipment layaway; and other expenses necessary for the
14 foregoing purposes, \$1,628,083,000, to remain available
15 for obligation until September 30, 2016.

16 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
17 VEHICLES, ARMY

18 For construction, procurement, production, and
19 modification of weapons and tracked combat vehicles,
20 equipment, including ordnance, spare parts, and acces-
21 sories therefor; specialized equipment and training devices;
22 expansion of public and private plants, including the land
23 necessary therefor, for the foregoing purposes, and such
24 lands and interests therein, may be acquired, and con-
25 struction prosecuted thereon prior to approval of title; and

1 procurement and installation of equipment, appliances,
2 and machine tools in public and private plants; reserve
3 plant and Government and contractor-owned equipment
4 layaway; and other expenses necessary for the foregoing
5 purposes, \$1,545,560,000, to remain available for obliga-
6 tion until September 30, 2016.

7 PROCUREMENT OF AMMUNITION, ARMY

8 For construction, procurement, production, and
9 modification of ammunition, and accessories therefor; spe-
10 cialized equipment and training devices; expansion of pub-
11 lic and private plants, including ammunition facilities au-
12 thorized by section 2854 of title 10, United States Code,
13 and the land necessary therefor, for the foregoing pur-
14 poses, and such lands and interests therein, may be ac-
15 quired, and construction prosecuted thereon prior to ap-
16 proval of title; and procurement and installation of equip-
17 ment, appliances, and machine tools in public and private
18 plants; reserve plant and Government and contractor-
19 owned equipment layaway; and other expenses necessary
20 for the foregoing purposes, \$1,465,937,000, to remain
21 available for obligation until September 30, 2016.

22 OTHER PROCUREMENT, ARMY

23 For construction, procurement, production, and
24 modification of vehicles, including tactical, support, and
25 non-tracked combat vehicles; the purchase of passenger

1 motor vehicles for replacement only; communications and
2 electronic equipment; other support equipment; spare
3 parts, ordnance, and accessories therefor; specialized
4 equipment and training devices; expansion of public and
5 private plants, including the land necessary therefor, for
6 the foregoing purposes, and such lands and interests
7 therein, may be acquired, and construction prosecuted
8 thereon prior to approval of title; and procurement and
9 installation of equipment, appliances, and machine tools
10 in public and private plants; reserve plant and Govern-
11 ment and contractor-owned equipment layaway; and other
12 expenses necessary for the foregoing purposes,
13 \$6,467,751,000, to remain available for obligation until
14 September 30, 2016.

15 AIRCRAFT PROCUREMENT, NAVY

16 For construction, procurement, production, modifica-
17 tion, and modernization of aircraft, equipment, including
18 ordnance, spare parts, and accessories therefor; specialized
19 equipment; expansion of public and private plants, includ-
20 ing the land necessary therefor, and such lands and inter-
21 ests therein, may be acquired, and construction prosecuted
22 thereon prior to approval of title; and procurement and
23 installation of equipment, appliances, and machine tools
24 in public and private plants; reserve plant and Govern-
25 ment and contractor-owned equipment layaway,

1 \$17,092,784,000, to remain available for obligation until
2 September 30, 2016.

3 WEAPONS PROCUREMENT, NAVY

4 For construction, procurement, production, modifica-
5 tion, and modernization of missiles, torpedoes, other weap-
6 ons, and related support equipment including spare parts,
7 and accessories therefor; expansion of public and private
8 plants, including the land necessary therefor, and such
9 lands and interests therein, may be acquired, and con-
10 struction prosecuted thereon prior to approval of title; and
11 procurement and installation of equipment, appliances,
12 and machine tools in public and private plants; reserve
13 plant and Government and contractor-owned equipment
14 layaway, \$3,017,646,000, to remain available for obliga-
15 tion until September 30, 2016.

16 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
17 CORPS

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

1 proval of title; and procurement and installation of equip-
 2 ment, appliances, and machine tools in public and private
 3 plants; reserve plant and Government and contractor-
 4 owned equipment layaway; and other expenses necessary
 5 for the foregoing purposes, \$544,116,000, to remain avail-
 6 able for obligation until September 30, 2016.

7 SHIPBUILDING AND CONVERSION, NAVY

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

20 Carrier Replacement Program (AP),
 21 \$944,866,000;

22 Virginia Class Submarine, \$3,880,704,000;

23 Virginia Class Submarine (AP),
 24 \$2,354,612,000;

25 CVN Refuelings, \$1,609,324,000;

1 CVN Refuelings (AP), \$245,793,000;
2 DDG-1000 Program, \$231,694,000;
3 DDG-51 Destroyer, \$1,615,564,000;
4 DDG-51 Destroyer (AP), \$388,551,000;
5 Littoral Combat Ship, \$1,793,014,000;
6 Afloat Forward Staging Base (AP),
7 \$562,000,000;
8 Joint High Speed Vessel, \$10,332,000;
9 Moored Training Ship, \$207,300,000;
10 LCAC Service Life Extension Program,
11 \$80,987,000;
12 For Outfitting, post delivery, conversions, and
13 first destination transportation, \$450,163,000; and
14 For Completion of Prior Year Shipbuilding Pro-
15 grams, \$625,800,000.
16 In all: \$15,000,704,000, to remain available for obli-
17 gation until September 30, 2018: *Provided*, That addi-
18 tional obligations may be incurred after September 30,
19 2018, for engineering services, tests, evaluations, and
20 other such budgeted work that must be performed in the
21 final stage of ship construction: *Provided further*, That
22 none of the funds provided under this heading for the con-
23 struction or conversion of any naval vessel to be con-
24 structed in shipyards in the United States shall be ex-
25 pended in foreign facilities for the construction of major

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

5 OTHER PROCUREMENT, NAVY

6 For procurement, production, and modernization of
7 support equipment and materials not otherwise provided
8 for, Navy ordnance (except ordnance for new aircraft, new
9 ships, and ships authorized for conversion); the purchase
10 of passenger motor vehicles for replacement only; expan-
11 sion of public and private plants, including the land nec-
12 essary therefor, and such lands and interests therein, may
13 be acquired, and construction prosecuted thereon prior to
14 approval of title; and procurement and installation of
15 equipment, appliances, and machine tools in public and
16 private plants; reserve plant and Government and con-
17 tractor-owned equipment layaway, \$6,824,824,000, to re-
18 main available for obligation until September 30, 2016.

19 PROCUREMENT, MARINE CORPS

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

1 hicles for the Marine Corps, including the purchase of pas-
2 senger motor vehicles for replacement only; and expansion
3 of public and private plants, including land necessary
4 therefor, and such lands and interests therein, may be ac-
5 quired, and construction prosecuted thereon prior to ap-
6 proval of title, \$1,271,311,000, to remain available for ob-
7 ligation until September 30, 2016.

8 AIRCRAFT PROCUREMENT, AIR FORCE

9 For construction, procurement, and modification of
10 aircraft and equipment, including armor and armament,
11 specialized ground handling equipment, and training de-
12 vices, spare parts, and accessories therefor; specialized
13 equipment; expansion of public and private plants, Gov-
14 ernment-owned equipment and installation thereof in such
15 plants, erection of structures, and acquisition of land, for
16 the foregoing purposes, and such lands and interests
17 therein, may be acquired, and construction prosecuted
18 thereon prior to approval of title; reserve plant and Gov-
19 ernment and contractor-owned equipment layaway; and
20 other expenses necessary for the foregoing purposes in-
21 cluding rents and transportation of things,
22 \$10,860,606,000, to remain available for obligation until
23 September 30, 2016.

1 MISSILE PROCUREMENT, AIR FORCE

2 For construction, procurement, and modification of
3 missiles, spacecraft, rockets, and related equipment, in-
4 cluding spare parts and accessories therefor, ground han-
5 dling equipment, and training devices; expansion of public
6 and private plants, Government-owned equipment and in-
7 stallation thereof in such plants, erection of structures,
8 and acquisition of land, for the foregoing purposes, and
9 such lands and interests therein, may be acquired, and
10 construction prosecuted thereon prior to approval of title;
11 reserve plant and Government and contractor-owned
12 equipment layaway; and other expenses necessary for the
13 foregoing purposes including rents and transportation of
14 things, \$5,267,119,000, to remain available for obligation
15 until September 30, 2016.

16 PROCUREMENT OF AMMUNITION, AIR FORCE

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

1 ment, appliances, and machine tools in public and private
2 plants; reserve plant and Government and contractor-
3 owned equipment layaway; and other expenses necessary
4 for the foregoing purposes, \$743,442,000, to remain avail-
5 able for obligation until September 30, 2016.

6 OTHER PROCUREMENT, AIR FORCE

7 For procurement and modification of equipment (in-
8 cluding ground guidance and electronic control equipment,
9 and ground electronic and communication equipment),
10 and supplies, materials, and spare parts therefor, not oth-
11 erwise provided for; the purchase of passenger motor vehi-
12 cles for replacement only; lease of passenger motor vehi-
13 cles; and expansion of public and private plants, Govern-
14 ment-owned equipment and installation thereof in such
15 plants, erection of structures, and acquisition of land, for
16 the foregoing purposes, and such lands and interests
17 therein, may be acquired, and construction prosecuted
18 thereon, prior to approval of title; reserve plant and Gov-
19 ernment and contractor-owned equipment layaway,
20 \$16,791,497,000, to remain available for obligation until
21 September 30, 2016.

22 PROCUREMENT, DEFENSE-WIDE

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

1 of equipment, supplies, materials, and spare parts there-
2 for, not otherwise provided for; the purchase of passenger
3 motor vehicles for replacement only; expansion of public
4 and private plants, equipment, and installation thereof in
5 such plants, erection of structures, and acquisition of land
6 for the foregoing purposes, and such lands and interests
7 therein, may be acquired, and construction prosecuted
8 thereon prior to approval of title; reserve plant and Gov-
9 ernment and contractor-owned equipment layaway,
10 \$4,522,990,000 (reduced by \$10,000,000), to remain
11 available for obligation until September 30, 2016.

12 DEFENSE PRODUCTION ACT PURCHASES

13 For activities by the Department of Defense pursuant
14 to sections 108, 301, 302, and 303 of the Defense Produc-
15 tion Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and
16 2093), \$75,135,000, to remain available until expended.

17 TITLE IV

18 RESEARCH, DEVELOPMENT, TEST AND

19 EVALUATION

20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

21 ARMY

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

1 cilities and equipment, \$7,961,486,000, to remain avail-
2 able for obligation until September 30, 2015.

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

4 NAVY

5 For expenses necessary for basic and applied sci-
6 entific research, development, test and evaluation, includ-
7 ing maintenance, rehabilitation, lease, and operation of fa-
8 cilities and equipment, \$15,368,352,000, to remain avail-
9 able for obligation until September 30, 2015: *Provided*,
10 That funds appropriated in this paragraph which are
11 available for the V-22 may be used to meet unique oper-
12 ational requirements of the Special Operations Forces:
13 *Provided further*, That funds appropriated in this para-
14 graph shall be available for the Cobra Judy program.

15 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

16 AIR FORCE

17 For expenses necessary for basic and applied sci-
18 entific research, development, test and evaluation, includ-
19 ing maintenance, rehabilitation, lease, and operation of fa-
20 cilities and equipment, \$24,947,354,000, to remain avail-
21 able for obligation until September 30, 2015.

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

4 For expenses of activities and agencies of the Depart-
5 ment of Defense (other than the military departments),
6 necessary for basic and applied scientific research, devel-
7 opment, test and evaluation; advanced research projects
8 as may be designated and determined by the Secretary
9 of Defense, pursuant to law; maintenance, rehabilitation,
10 lease, and operation of facilities and equipment,
11 \$17,885,538,000 (reduced by \$10,000,000) (reduced by
12 \$15,000,000) (increased by \$15,000,000), to remain avail-
13 able for obligation until September 30, 2015: *Provided*,
14 That of the funds made available in this paragraph,
15 \$250,000,000 for the Defense Rapid Innovation Program
16 shall only be available for expenses, not otherwise provided
17 for, to include program management and oversight, to
18 conduct research, development, test and evaluation to in-
19 clude proof of concept demonstration; engineering, testing,
20 and validation; and transition to full-scale production:
21 *Provided further*, That the Secretary of Defense may
22 transfer funds provided herein for the Defense Rapid In-
23 novation Program to appropriations for research, develop-
24 ment, test and evaluation to accomplish the purpose pro-
25 vided herein: *Provided further*, That this transfer author-

1 ity is in addition to any other transfer authority available
2 to the Department of Defense: *Provided further*, That the
3 Secretary of Defense shall, not fewer than 30 days prior
4 to making transfers from this appropriation, notify the
5 congressional defense committees in writing of the details
6 of any such transfer.

7 OPERATIONAL TEST AND EVALUATION, DEFENSE

8 For expenses, not otherwise provided for, necessary
9 for the independent activities of the Director, Operational
10 Test and Evaluation, in the direction and supervision of
11 operational test and evaluation, including initial oper-
12 ational test and evaluation which is conducted prior to,
13 and in support of, production decisions; joint operational
14 testing and evaluation; and administrative expenses in
15 connection therewith, \$246,800,000, to remain available
16 for obligation until September 30, 2015.

17 TITLE V

18 REVOLVING AND MANAGEMENT FUNDS

19 DEFENSE WORKING CAPITAL FUNDS

20 For the Defense Working Capital Funds,
21 \$1,545,827,000.

22 NATIONAL DEFENSE SEALIFT FUND

23 For National Defense Sealift Fund programs,
24 projects, and activities, and for expenses of the National
25 Defense Reserve Fleet, as established by section 11 of the

1 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),
2 and for the necessary expenses to maintain and preserve
3 a U.S.-flag merchant fleet to serve the national security
4 needs of the United States, \$595,700,000, to remain avail-
5 able until expended: *Provided*, That none of the funds pro-
6 vided in this paragraph shall be used to award a new con-
7 tract that provides for the acquisition of any of the fol-
8 lowing major components unless such components are
9 manufactured in the United States: auxiliary equipment,
10 including pumps, for all shipboard services; propulsion
11 system components (engines, reduction gears, and propel-
12 lers); shipboard cranes; and spreaders for shipboard
13 cranes: *Provided further*, That the exercise of an option
14 in a contract awarded through the obligation of previously
15 appropriated funds shall not be considered to be the award
16 of a new contract: *Provided further*, That the Secretary
17 of the military department responsible for such procure-
18 ment may waive the restrictions in the first proviso on
19 a case-by-case basis by certifying in writing to the Com-
20 mittees on Appropriations of the House of Representatives
21 and the Senate that adequate domestic supplies are not
22 available to meet Department of Defense requirements on
23 a timely basis and that such an acquisition must be made
24 in order to acquire capability for national security pur-
25 poses.

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, \$33,573,582,000 (increased by
7 \$10,000,000) (increased by \$10,000,000) (increased by
8 \$10,000,000) (increased by \$500,000) (increased by
9 \$10,000,000) (reduced by \$4,500,000) (increased by
10 \$4,500,000); of which \$31,566,688,000 shall be for oper-
11 ation and maintenance, of which not to exceed one percent
12 shall remain available for obligation until September 30,
13 2015 and of which up to \$15,969,816,000 may be avail-
14 able for contracts entered into under the TRICARE pro-
15 gram; of which \$671,181,000, to remain available for obli-
16 gation until September 30, 2016, shall be for procure-
17 ment; and of which \$1,335,713,000 (increased by
18 \$10,000,000) (increased by \$500,000) (increased by
19 \$10,000,000) (reduced by \$4,500,000) (increased by
20 \$4,500,000), to remain available for obligation until Sep-
21 tember 30, 2015, shall be for research, development, test
22 and evaluation: *Provided*, That, notwithstanding any other
23 provision of law, of the amount made available under this
24 heading for research, development, test and evaluation,
25 not less than \$8,000,000 shall be available for HIV pre-

1 vention educational activities undertaken in connection
2 with United States military training, exercises, and hu-
3 manitarian assistance activities conducted primarily in Af-
4 rican nations: *Provided further*, That of the funds made
5 available under this Act for research, development, test
6 and evaluation, procurement, or operation and mainte-
7 nance for the Defense Health Agency, not more than 25
8 percent may be used until the date on which the program
9 plan for the oversight and execution of the integrated elec-
10 tronic health record program required by subtitle C of title
11 VII of the National Defense Authorization Act for Fiscal
12 Year 2014 is submitted to Congress.

13 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
14 DEFENSE

15 For expenses, not otherwise provided for, necessary
16 for the destruction of the United States stockpile of lethal
17 chemical agents and munitions in accordance with the pro-
18 visions of section 1412 of the Department of Defense Au-
19 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
20 struction of other chemical warfare materials that are not
21 in the chemical weapon stockpile, \$1,057,123,000, of
22 which \$451,572,000 shall be for operation and mainte-
23 nance, of which no less than \$51,217,000 shall be for the
24 Chemical Stockpile Emergency Preparedness Program,
25 consisting of \$21,489,000 for activities on military instal-

1 lations and \$29,728,000, to remain available until Sep-
2 tember 30, 2015, to assist State and local governments;
3 \$1,368,000 shall be for procurement, to remain available
4 until September 30, 2016, of which \$1,368,000 shall be
5 for the Chemical Stockpile Emergency Preparedness Pro-
6 gram to assist State and local governments; and
7 \$604,183,000, to remain available until September 30,
8 2015, shall be for research, development, test and evalua-
9 tion, of which \$584,238,000 shall only be for the Assem-
10 bled Chemical Weapons Alternatives (ACWA) program.

11 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

12 DEFENSE

13 (INCLUDING TRANSFER OF FUNDS)

14 For drug interdiction and counter-drug activities of
15 the Department of Defense, for transfer to appropriations
16 available to the Department of Defense for military per-
17 sonnel of the reserve components serving under the provi-
18 sions of title 10 and title 32, United States Code; for oper-
19 ation and maintenance; for procurement; and for research,
20 development, test and evaluation, \$1,007,762,000: *Pro-*
21 *vided*, That the funds appropriated under this heading
22 shall be available for obligation for the same time period
23 and for the same purpose as the appropriation to which
24 transferred: *Provided further*, That upon a determination
25 that all or part of the funds transferred from this appro-

1 priation are not necessary for the purposes provided here-
2 in, such amounts may be transferred back to this appro-
3 priation: *Provided further*, That the transfer authority pro-
4 vided under this heading is in addition to any other trans-
5 fer authority contained elsewhere in this Act.

6 OFFICE OF THE INSPECTOR GENERAL

7 For expenses and activities of the Office of the In-
8 spector General in carrying out the provisions of the In-
9 spector General Act of 1978, as amended, \$347,000,000,
10 of which \$346,000,000 shall be for operation and mainte-
11 nance, of which not to exceed \$700,000 is available for
12 emergencies and extraordinary expenses to be expended on
13 the approval or authority of the Inspector General, and
14 payments may be made on the Inspector General's certifi-
15 cate of necessity for confidential military purposes; and
16 of which \$1,000,000, to remain available until September
17 30, 2016, shall be for procurement.

18 TITLE VII

19 RELATED AGENCIES

20 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
21 DISABILITY SYSTEM FUND

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

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

3 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

4 For necessary expenses of the Intelligence Commu-
5 nity Management Account, \$552,535,000.

6 TITLE VIII

7 GENERAL PROVISIONS

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

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

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

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

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

16 (TRANSFER OF FUNDS)

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

1 for the same purposes, and for the same time period, as
2 the appropriation or fund to which transferred: *Provided*,
3 That such authority to transfer may not be used unless
4 for higher priority items, based on unforeseen military re-
5 quirements, than those for which originally appropriated
6 and in no case where the item for which funds are re-
7 quested has been denied by the Congress: *Provided further*,
8 That the Secretary of Defense shall notify the Congress
9 promptly of all transfers made pursuant to this authority
10 or any other authority in this Act: *Provided further*, That
11 no part of the funds in this Act shall be available to pre-
12 pare or present a request to the Committees on Appropria-
13 tions for reprogramming of funds, unless for higher pri-
14 ority items, based on unforeseen military requirements,
15 than those for which originally appropriated and in no
16 case where the item for which reprogramming is requested
17 has been denied by the Congress: *Provided further*, That
18 a request for multiple reprogrammings of funds using au-
19 thority provided in this section shall be made prior to June
20 30, 2014: *Provided further*, That transfers among military
21 personnel appropriations shall not be taken into account
22 for purposes of the limitation on the amount of funds that
23 may be transferred under this section.

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

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

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

18 SEC. 8007. (a) Not later than 60 days after enact-
19 ment of this Act, the Department of Defense shall submit
20 a report to the congressional defense committees to estab-
21 lish the baseline for application of reprogramming and
22 transfer authorities for fiscal year 2014: *Provided*, That
23 the report shall include—

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

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

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

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

10 (b) Notwithstanding section 8005 of this Act, none
11 of the funds provided in this Act shall be available for
12 reprogramming or transfer until the report identified in
13 subsection (a) is submitted to the congressional defense
14 committees, unless the Secretary of Defense certifies in
15 writing to the congressional defense committees that such
16 reprogramming or transfer is necessary as an emergency
17 requirement.

18 (TRANSFER OF FUNDS)

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

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

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

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

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

23 (1) the Secretary of Defense has submitted to
24 Congress a budget request for full funding of units
25 to be procured through the contract and, in the case

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

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

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

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

19 Funds appropriated in title III of this Act may be
20 used for a multiyear procurement contract as follows:

21 E-2D Advanced Hawkeye, SSN 774 Virginia class
22 submarine, KC-130J, C-130J, HC-130J, MC-130J,
23 AC-130J aircraft, Ground-Based Midcourse Defense Sys-
24 tem Ground-Based Interceptors, and government fur-
25 nished equipment.

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

1 ern Mariana Islands, the Marshall Islands, the Federated
2 States of Micronesia, Palau, and Guam.

3 SEC. 8012. (a) During fiscal year 2014, the civilian
4 personnel of the Department of Defense may not be man-
5 aged on the basis of any end-strength, and the manage-
6 ment of such personnel during that fiscal year shall not
7 be subject to any constraint or limitation (known as an
8 end-strength) on the number of such personnel who may
9 be employed on the last day of such fiscal year.

10 (b) The fiscal year 2015 budget request for the De-
11 partment of Defense as well as all justification material
12 and other documentation supporting the fiscal year 2015
13 Department of Defense budget request shall be prepared
14 and submitted to the Congress as if subsections (a) and
15 (c) of this provision were effective with regard to fiscal
16 year 2015.

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

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

23 SEC. 8014. None of the funds appropriated by this
24 Act shall be available for the basic pay and allowances of
25 any member of the Army participating as a full-time stu-

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

9 (TRANSFER OF FUNDS)

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

20 SEC. 8016. None of the funds in this Act may be
21 available for the purchase by the Department of Defense
22 (and its departments and agencies) of welded shipboard
23 anchor and mooring chain 4 inches in diameter and under
24 unless the anchor and mooring chain are manufactured
25 in the United States from components which are substan-

1 tially manufactured in the United States: *Provided*, That
2 for the purpose of this section, the term “manufactured”
3 shall include cutting, heat treating, quality control, testing
4 of chain and welding (including the forging and shot blast-
5 ing process): *Provided further*, That for the purpose of this
6 section substantially all of the components of anchor and
7 mooring chain shall be considered to be produced or manu-
8 factured in the United States if the aggregate cost of the
9 components produced or manufactured in the United
10 States exceeds the aggregate cost of the components pro-
11 duced or manufactured outside the United States: *Pro-*
12 *vided further*, That when adequate domestic supplies are
13 not available to meet Department of Defense requirements
14 on a timely basis, the Secretary of the Service responsible
15 for the procurement may waive this restriction on a case-
16 by-case basis by certifying in writing to the Committees
17 on Appropriations that such an acquisition must be made
18 in order to acquire capability for national security pur-
19 poses.

20 SEC. 8017. None of the funds available to the De-
21 partment of Defense in the current fiscal year and any
22 fiscal year thereafter may be used to demilitarize or dis-
23 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,
24 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or
25 to demilitarize or destroy small arms ammunition or am-

1 munition components that are not otherwise prohibited
2 from commercial sale under Federal law, unless the small
3 arms ammunition or ammunition components are certified
4 by the Secretary of the Army or designee as unserviceable
5 or unsafe for further use.

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

15 SEC. 8019. In addition to the funds provided else-
16 where in this Act, \$15,000,000 is appropriated only for
17 incentive payments authorized by section 504 of the In-
18 dian Financing Act of 1974 (25 U.S.C. 1544): *Provided*,
19 That a prime contractor or a subcontractor at any tier
20 that makes a subcontract award to any subcontractor or
21 supplier as defined in section 1544 of title 25, United
22 States Code, or a small business owned and controlled by
23 an individual or individuals defined under section 4221(9)
24 of title 25, United States Code, shall be considered a con-
25 tractor for the purposes of being allowed additional com-

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

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

19 SEC. 8021. During the current fiscal year, the De-
20 partment of Defense is authorized to incur obligations of
21 not to exceed \$350,000,000 for purposes specified in sec-
22 tion 2350j(c) of title 10, United States Code, in anticipa-
23 tion of receipt of contributions, only from the Government
24 of Kuwait, under that section: *Provided*, That upon re-
25 ceipt, such contributions from the Government of Kuwait

1 shall be credited to the appropriations or fund which in-
2 curred such obligations.

3 SEC. 8022. (a) Of the funds made available in this
4 Act, not less than \$39,532,000 shall be available for the
5 Civil Air Patrol Corporation, of which—

6 (1) \$28,400,000 shall be available from “Oper-
7 ation and Maintenance, Air Force” to support Civil
8 Air Patrol Corporation operation and maintenance,
9 readiness, counterdrug activities, and drug demand
10 reduction activities involving youth programs;

11 (2) \$10,200,000 shall be available from “Air-
12 craft Procurement, Air Force”; and

13 (3) \$932,000 shall be available from “Other
14 Procurement, Air Force” for vehicle procurement.

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

19 SEC. 8023. (a) None of the funds appropriated in this
20 Act are available to establish a new Department of De-
21 fense (department) federally funded research and develop-
22 ment center (FFRDC), either as a new entity, or as a
23 separate entity administrated by an organization man-
24 aging another FFRDC, or as a nonprofit membership cor-

1 poration consisting of a consortium of other FFRDCs and
2 other nonprofit entities.

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

15 (c) Notwithstanding any other provision of law, none
16 of the funds available to the department from any source
17 during fiscal year 2014 may be used by a defense FFRDC,
18 through a fee or other payment mechanism, for construc-
19 tion of new buildings, for payment of cost sharing for
20 projects funded by Government grants, for absorption of
21 contract overruns, or for certain charitable contributions,
22 not to include employee participation in community service
23 and/or development.

24 (d) Notwithstanding any other provision of law, of
25 the funds available to the department during fiscal year

1 2014, not more than 5,750 staff years of technical effort
2 (staff years) may be funded for defense FFRDCs: *Pro-*
3 *vided*, That of the specific amount referred to previously
4 in this subsection, not more than 1,125 staff years may
5 be funded for the defense studies and analysis FFRDCs:
6 *Provided further*, That this subsection shall not apply to
7 staff years funded in the National Intelligence Program
8 (NIP) and the Military Intelligence Program (MIP).

9 (e) The Secretary of Defense shall, with the submis-
10 sion of the department's fiscal year 2015 budget request,
11 submit a report presenting the specific amounts of staff
12 years of technical effort to be allocated for each defense
13 FFRDC during that fiscal year and the associated budget
14 estimates.

15 (f) Notwithstanding any other provision of this Act,
16 the total amount appropriated in this Act for FFRDCs
17 is hereby reduced by \$40,000,000.

18 SEC. 8024. None of the funds appropriated or made
19 available in this Act shall be used to procure carbon, alloy,
20 or armor steel plate for use in any Government-owned fa-
21 cility or property under the control of the Department of
22 Defense which were not melted and rolled in the United
23 States or Canada: *Provided*, That these procurement re-
24 strictions shall apply to any and all Federal Supply Class
25 9515, American Society of Testing and Materials (ASTM)

1 or American Iron and Steel Institute (AISI) specifications
2 of carbon, alloy, or armor steel plate: *Provided further*,
3 That the Secretary of the military department responsible
4 for the procurement may waive this restriction on a case-
5 by-case basis by certifying in writing to the Committees
6 on Appropriations of the House of Representatives and the
7 Senate that adequate domestic supplies are not available
8 to meet Department of Defense requirements on a timely
9 basis and that such an acquisition must be made in order
10 to acquire capability for national security purposes: *Pro-*
11 *vided further*, That these restrictions shall not apply to
12 contracts which are in being as of the date of the enact-
13 ment of this Act.

14 SEC. 8025. For the purposes of this Act, the term
15 “congressional defense committees” means the Armed
16 Services Committee of the House of Representatives, the
17 Armed Services Committee of the Senate, the Sub-
18 committee on Defense of the Committee on Appropriations
19 of the Senate, and the Subcommittee on Defense of the
20 Committee on Appropriations of the House of Representa-
21 tives.

22 SEC. 8026. During the current fiscal year, the De-
23 partment of Defense may acquire the modification, depot
24 maintenance and repair of aircraft, vehicles and vessels
25 as well as the production of components and other De-

1 fense-related articles, through competition between De-
2 partment of Defense depot maintenance activities and pri-
3 vate firms: *Provided*, That the Senior Acquisition Execu-
4 tive of the military department or Defense Agency con-
5 cerned, with power of delegation, shall certify that success-
6 ful bids include comparable estimates of all direct and in-
7 direct costs for both public and private bids: *Provided fur-*
8 *ther*, That Office of Management and Budget Circular A-
9 76 shall not apply to competitions conducted under this
10 section.

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

21 (2) An agreement referred to in paragraph (1) is any
22 reciprocal defense procurement memorandum of under-
23 standing, between the United States and a foreign country
24 pursuant to which the Secretary of Defense has prospec-

1 tively waived the Buy American Act for certain products
2 in that country.

3 (b) The Secretary of Defense shall submit to the Con-
4 gress a report on the amount of Department of Defense
5 purchases from foreign entities in fiscal year 2014. Such
6 report shall separately indicate the dollar value of items
7 for which the Buy American Act was waived pursuant to
8 any agreement described in subsection (a)(2), the Trade
9 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any
10 international agreement to which the United States is a
11 party.

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

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

22 SEC. 8029. (a) Notwithstanding any other provision
23 of law, the Secretary of the Air Force may convey at no
24 cost to the Air Force, without consideration, to Indian
25 tribes located in the States of Nevada, Idaho, North Da-

1 kota, South Dakota, Montana, Oregon, Minnesota, and
2 Washington relocatable military housing units located at
3 Grand Forks Air Force Base, Malmstrom Air Force Base,
4 Mountain Home Air Force Base, Ellsworth Air Force
5 Base, and Minot Air Force Base that are excess to the
6 needs of the Air Force.

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

17 (c) The Operation Walking Shield Program shall re-
18 solve any conflicts among requests of Indian tribes for
19 housing units under subsection (a) before submitting re-
20 quests to the Secretary of the Air Force under subsection
21 (b).

22 (d) In this section, the term “Indian tribe” means
23 any recognized Indian tribe included on the current list
24 published by the Secretary of the Interior under section
25 104 of the Federally Recognized Indian Tribe Act of 1994

1 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-
2 1).

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

8 SEC. 8031. (a) During the current fiscal year, none
9 of the appropriations or funds available to the Department
10 of Defense Working Capital Funds shall be used for the
11 purchase of an investment item for the purpose of acquir-
12 ing a new inventory item for sale or anticipated sale dur-
13 ing the current fiscal year or a subsequent fiscal year to
14 customers of the Department of Defense Working Capital
15 Funds if such an item would not have been chargeable
16 to the Department of Defense Business Operations Fund
17 during fiscal year 1994 and if the purchase of such an
18 investment item would be chargeable during the current
19 fiscal year to appropriations made to the Department of
20 Defense for procurement.

21 (b) The fiscal year 2015 budget request for the De-
22 partment of Defense, as well as all justification material
23 and other documentation supporting the fiscal year 2015
24 Department of Defense budget, shall be prepared and sub-
25 mitted to the Congress on the basis that any equipment

1 which was classified as an end item and funded in a pro-
2 curement appropriation contained in this Act shall be
3 budgeted for in a proposed fiscal year 2015 procurement
4 appropriation and not in the supply management business
5 area or any other area or category of the Department of
6 Defense Working Capital Funds.

7 SEC. 8032. None of the funds appropriated by this
8 Act for programs of the Central Intelligence Agency shall
9 remain available for obligation beyond the current fiscal
10 year, except for funds appropriated for the Reserve for
11 Contingencies, which shall remain available until Sep-
12 tember 30, 2015: *Provided*, That funds appropriated,
13 transferred, or otherwise credited to the Central Intel-
14 ligence Agency Central Services Working Capital Fund
15 during this or any prior or subsequent fiscal year shall
16 remain available until expended: *Provided further*, That
17 any funds appropriated or transferred to the Central Intel-
18 ligence Agency for advanced research and development ac-
19 quisition, for agent operations, and for covert action pro-
20 grams authorized by the President under section 503 of
21 the National Security Act of 1947 (50 U.S.C. 3093) shall
22 remain available until September 30, 2015.

23 SEC. 8033. Notwithstanding any other provision of
24 law, funds made available in this Act for the Defense In-
25 telligence Agency may be used for the design, develop-

1 ment, and deployment of General Defense Intelligence
2 Program intelligence communications and intelligence in-
3 formation systems for the Services, the Unified and Speci-
4 fied Commands, and the component commands.

5 SEC. 8034. Of the funds appropriated to the Depart-
6 ment of Defense under the heading “Operation and Main-
7 tenance, Defense-Wide”, not less than \$12,000,000 shall
8 be made available only for the mitigation of environmental
9 impacts, including training and technical assistance to
10 tribes, related administrative support, the gathering of in-
11 formation, documenting of environmental damage, and de-
12 veloping a system for prioritization of mitigation and cost
13 to complete estimates for mitigation, on Indian lands re-
14 sulting from Department of Defense activities.

15 SEC. 8035. (a) None of the funds appropriated in this
16 Act may be expended by an entity of the Department of
17 Defense unless the entity, in expending the funds, com-
18 plies with the Buy American Act. For purposes of this
19 subsection, the term “Buy American Act” means chapter
20 83 of title 41, United States Code.

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

1 with section 2410f of title 10, United States Code, wheth-
2 er the person should be debarred from contracting with
3 the Department of Defense.

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

12 SEC. 8036. None of the funds appropriated by this
13 Act shall be available for a contract for studies, analysis,
14 or consulting services entered into without competition on
15 the basis of an unsolicited proposal unless the head of the
16 activity responsible for the procurement determines—

17 (1) as a result of thorough technical evaluation,
18 only one source is found fully qualified to perform
19 the proposed work;

20 (2) the purpose of the contract is to explore an
21 unsolicited proposal which offers significant sci-
22 entific or technological promise, represents the prod-
23 uct of original thinking, and was submitted in con-
24 fidence by one source; or

1 (3) the purpose of the contract is to take ad-
2 vantage of unique and significant industrial accom-
3 plishment by a specific concern, or to insure that a
4 new product or idea of a specific concern is given fi-
5 nancial support: *Provided*, That this limitation shall
6 not apply to contracts in an amount of less than
7 \$25,000, contracts related to improvements of equip-
8 ment that is in development or production, or con-
9 tracts as to which a civilian official of the Depart-
10 ment of Defense, who has been confirmed by the
11 Senate, determines that the award of such contract
12 is in the interest of the national defense.

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

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

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

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

1 House of Representatives and the Senate that the grant-
2 ing of the waiver will reduce the personnel requirements
3 or the financial requirements of the department.

4 (c) This section does not apply to—

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

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

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

15 SEC. 8038. The Secretary of Defense, notwith-
16 standing any other provision of law, acting through the
17 Office of Economic Adjustment of the Department of De-
18 fense, may use funds made available in this Act under the
19 heading “Operation and Maintenance, Defense-Wide” to
20 make grants and supplement other Federal funds in ac-
21 cordance with the guidance provided in the explanatory
22 statement accompanying this Act.

23 SEC. 8039. (a) None of the funds appropriated by
24 this Act shall be available to convert to contractor per-
25 formance an activity or function of the Department of De-

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

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

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

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

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

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

23 (A) not making an employer-sponsored
24 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:

1 “National Defense Sealift Fund, 2011/XXXX”,
2 \$28,000,000;
3 “National Defense Sealift Fund, 2012/XXXX”,
4 \$14,000,000;
5 “Aircraft Procurement, Navy, 2012/2014”,
6 \$30,000,000;
7 “Aircraft Procurement, Air Force, 2012/2014”,
8 \$443,000,000;
9 “Missile Procurement, Air Force, 2012/2014”,
10 \$10,000,000;
11 “Aircraft Procurement, Navy, 2013/2015”,
12 \$85,000,000;
13 “Weapons Procurement, Navy, 2013/2015”,
14 \$5,000,000;
15 “Shipbuilding and Conversion, Navy, 2013/
16 2017”: CVN-71, \$68,000,000;
17 “Other Procurement, Navy, 2013/2015”,
18 \$3,553,000;
19 “Procurement, Marine Corps, 2013/2015”,
20 \$12,650,000;
21 “Missile Procurement, Air Force, 2013/2015”,
22 \$60,000,000;
23 “Other Procurement, Air Force, 2013/2015”,
24 \$38,900,000;

1 “Procurement, Defense-Wide, 2013/2015”,
2 \$72,776,000;

3 “Research, Development, Test and Evaluation,
4 Army, 2013/2014”, \$380,861,000;

5 “Research, Development, Test and Evaluation,
6 Navy, 2013/2014”, \$49,331,000;

7 “Research, Development, Test and Evaluation,
8 Air Force, 2013/2014”, \$115,000,000;

9 “Research, Development, Test and Evaluation,
10 Defense-Wide, 2013/2014”, \$213,000,000;

11 “Ship Modernization Operations and
12 Sustainment Fund, 2013/2014”, \$1,414,500,000.

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

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

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

15 SEC. 8044. During the current fiscal year, none of
16 the funds appropriated in this Act may be used to reduce
17 the civilian medical and medical support personnel as-
18 signed to military treatment facilities below the September
19 30, 2003, level: *Provided*, That the Service Surgeons Gen-
20 eral may waive this section by certifying to the congres-
21 sional defense committees that the beneficiary population
22 is declining in some catchment areas and civilian strength
23 reductions may be consistent with responsible resource
24 stewardship and capitation-based budgeting.

1 SEC. 8045. (a) None of the funds available to the
2 Department of Defense for any fiscal year for drug inter-
3 diction or counter-drug activities may be transferred to
4 any other department or agency of the United States ex-
5 cept as specifically provided in an appropriations law.

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

11 SEC. 8046. None of the funds appropriated by this
12 Act may be used for the procurement of ball and roller
13 bearings other than those produced by a domestic source
14 and of domestic origin: *Provided*, That the Secretary of
15 the military department responsible for such procurement
16 may waive this restriction on a case-by-case basis by certi-
17 fying in writing to the Committees on Appropriations of
18 the House of Representatives and the Senate, that ade-
19 quate domestic supplies are not available to meet Depart-
20 ment of Defense requirements on a timely basis and that
21 such an acquisition must be made in order to acquire ca-
22 pability for national security purposes: *Provided further*,
23 That this restriction shall not apply to the purchase of
24 “commercial items”, as defined by section 4(12) of the
25 Office of Federal Procurement Policy Act, except that the

1 restriction shall apply to ball or roller bearings purchased
2 as end items.

3 SEC. 8047. 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. 8048. None of the funds made available in this
11 or any other Act may be used to pay the salary of any
12 officer or employee of the Department of Defense who ap-
13 proves or implements the transfer of administrative re-
14 sponsibilities or budgetary resources of any program,
15 project, or activity financed by this Act to the jurisdiction
16 of another Federal agency not financed by this Act with-
17 out the express authorization of Congress: *Provided*, That
18 this limitation shall not apply to transfers of funds ex-
19 pressly provided for in Defense Appropriations Acts, or
20 provisions of Acts providing supplemental appropriations
21 for the Department of Defense.

22 SEC. 8049. (a) Notwithstanding any other provision
23 of law, none of the funds available to the Department of
24 Defense for the current fiscal year may be obligated or
25 expended to transfer to another nation or an international

1 organization any defense articles or services (other than
2 intelligence services) for use in the activities described in
3 subsection (b) unless the congressional defense commit-
4 tees, the Committee on Foreign Affairs of the House of
5 Representatives, and the Committee on Foreign Relations
6 of the Senate are notified 15 days in advance of such
7 transfer.

8 (b) This section applies to—

9 (1) any international peacekeeping or peace-en-
10 forcement operation under the authority of chapter
11 VI or chapter VII of the United Nations Charter
12 under the authority of a United Nations Security
13 Council resolution; and

14 (2) any other international peacekeeping, peace-
15 enforcement, or humanitarian assistance operation.

16 (c) A notice under subsection (a) shall include the
17 following:

18 (1) A description of the equipment, supplies, or
19 services to be transferred.

20 (2) A statement of the value of the equipment,
21 supplies, or services to be transferred.

22 (3) In the case of a proposed transfer of equip-
23 ment or supplies—

24 (A) a statement of whether the inventory
25 requirements of all elements of the Armed

1 Forces (including the reserve components) for
2 the type of equipment or supplies to be trans-
3 ferred have been met; and

4 (B) a statement of whether the items pro-
5 posed to be transferred will have to be replaced
6 and, if so, how the President proposes to pro-
7 vide funds for such replacement.

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

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

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

18 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

21 (3) in the case of an expired account, the obli-
22 gation is not chargeable to a current appropriation
23 of the Department of Defense under the provisions
24 of section 1405(b)(8) of the National Defense Au-
25 thorization Act for Fiscal Year 1991, Public Law

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

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

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

1 SEC. 8054. Using funds made available by this Act
2 or any other Act, the Secretary of the Air Force, pursuant
3 to a determination under section 2690 of title 10, United
4 States Code, may implement cost-effective agreements for
5 required heating facility modernization in the
6 Kaiserslautern Military Community in the Federal Repub-
7 lic of Germany: *Provided*, That in the City of
8 Kaiserslautern and at the Rhine Ordnance Barracks area,
9 such agreements will include the use of United States an-
10 thracite as the base load energy for municipal district heat
11 to the United States Defense installations: *Provided fur-*
12 *ther*, That at Landstuhl Army Regional Medical Center
13 and Ramstein Air Base, furnished heat may be obtained
14 from private, regional or municipal services, if provisions
15 are included for the consideration of United States coal
16 as an energy source.

17 SEC. 8055. None of the funds appropriated in title
18 IV of this Act may be used to procure end-items for deliv-
19 ery to military forces for operational training, operational
20 use or inventory requirements: *Provided*, That this restric-
21 tion does not apply to end-items used in development,
22 prototyping, and test activities preceding and leading to
23 acceptance for operational use: *Provided further*, That this
24 restriction does not apply to programs funded within the
25 National Intelligence Program: *Provided further*, That the

1 Secretary of Defense may waive this restriction on a case-
2 by-case basis by certifying in writing to the Committees
3 on Appropriations of the House of Representatives and the
4 Senate that it is in the national security interest to do
5 so.

6 SEC. 8056. (a) The Secretary of Defense may, on a
7 case-by-case basis, waive with respect to a foreign country
8 each limitation on the procurement of defense items from
9 foreign sources provided in law if the Secretary determines
10 that the application of the limitation with respect to that
11 country would invalidate cooperative programs entered
12 into between the Department of Defense and the foreign
13 country, or would invalidate reciprocal trade agreements
14 for the procurement of defense items entered into under
15 section 2531 of title 10, United States Code, and the
16 country does not discriminate against the same or similar
17 defense items produced in the United States for that coun-
18 try.

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

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

22 (2) options for the procurement of items that
23 are exercised after such date under contracts that
24 are entered into before such date if the option prices

1 are adjusted for any reason other than the applica-
2 tion of a waiver granted under subsection (a).

3 (c) Subsection (a) does not apply to a limitation re-
4 garding construction of public vessels, ball and roller bear-
5 ings, food, and clothing or textile materials as defined by
6 section 11 (chapters 50–65) of the Harmonized Tariff
7 Schedule and products classified under headings 4010,
8 4202, 4203, 6401 through 6406, 6505, 7019, 7218
9 through 7229, 7304.41 through 7304.49, 7306.40, 7502
10 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

11 SEC. 8057. (a) None of the funds made available by
12 this Act may be used to support any training program in-
13 volving a unit of the security forces or police of a foreign
14 country if the Secretary of Defense has received credible
15 information from the Department of State that the unit
16 has committed a gross violation of human rights, unless
17 all necessary corrective steps have been taken.

18 (b) The Secretary of Defense, in consultation with the
19 Secretary of State, shall ensure that prior to a decision
20 to conduct any training program referred to in subsection
21 (a), full consideration is given to all credible information
22 available to the Department of State relating to human
23 rights violations by foreign security forces.

24 (c) The Secretary of Defense, after consultation with
25 the Secretary of State, may waive the prohibition in sub-

1 section (a) if he determines that such waiver is required
2 by extraordinary circumstances.

3 (d) Not more than 15 days after the exercise of any
4 waiver under subsection (c), the Secretary of Defense shall
5 submit a report to the congressional defense committees
6 describing the extraordinary circumstances, the purpose
7 and duration of the training program, the United States
8 forces and the foreign security forces involved in the train-
9 ing program, and the information relating to human rights
10 violations that necessitates the waiver.

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

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

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

7 SEC. 8060. The Secretary of Defense shall provide
8 a classified quarterly report beginning 30 days after enact-
9 ment of this Act, to the House and Senate Appropriations
10 Committees, Subcommittees on Defense on certain mat-
11 ters as directed in the classified annex accompanying this
12 Act.

13 SEC. 8061. During the current fiscal year, none of
14 the funds available to the Department of Defense may be
15 used to provide support to another department or agency
16 of the United States if such department or agency is more
17 than 90 days in arrears in making payment to the Depart-
18 ment of Defense for goods or services previously provided
19 to such department or agency on a reimbursable basis:
20 *Provided*, That this restriction shall not apply if the de-
21 partment is authorized by law to provide support to such
22 department or agency on a nonreimbursable basis, and is
23 providing the requested support pursuant to such author-
24 ity: *Provided further*, That the Secretary of Defense may
25 waive this restriction on a case-by-case basis by certifying

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

4 SEC. 8062. Notwithstanding section 12310(b) of title
5 10, United States Code, a Reserve who is a member of
6 the National Guard serving on full-time National Guard
7 duty under section 502(f) of title 32, United States Code,
8 may perform duties in support of the ground-based ele-
9 ments of the National Ballistic Missile Defense System.

10 SEC. 8063. None of the funds provided in this Act
11 may be used to transfer to any nongovernmental entity
12 ammunition held by the Department of Defense that has
13 a center-fire cartridge and a United States military no-
14 menclature designation of “armor penetrator”, “armor
15 piercing (AP)”, “armor piercing incendiary (API)”, or
16 “armor-piercing incendiary tracer (API-T)”, except to an
17 entity performing demilitarization services for the Depart-
18 ment of Defense under a contract that requires the entity
19 to demonstrate to the satisfaction of the Department of
20 Defense that armor piercing projectiles are either: (1) ren-
21 dered incapable of reuse by the demilitarization process;
22 or (2) used to manufacture ammunition pursuant to a con-
23 tract with the Department of Defense or the manufacture
24 of ammunition for export pursuant to a License for Per-

1 manent Export of Unclassified Military Articles issued by
2 the Department of State.

3 SEC. 8064. Notwithstanding any other provision of
4 law, the Chief of the National Guard Bureau, or his des-
5 ignee, may waive payment of all or part of the consider-
6 ation that otherwise would be required under section 2667
7 of title 10, United States Code, in the case of a lease of
8 personal property for a period not in excess of 1 year to
9 any organization specified in section 508(d) of title 32,
10 United States Code, or any other youth, social, or fra-
11 ternal nonprofit organization as may be approved by the
12 Chief of the National Guard Bureau, or his designee, on
13 a case-by-case basis.

14 SEC. 8065. None of the funds appropriated by this
15 Act shall be used for the support of any nonappropriated
16 funds activity of the Department of Defense that procures
17 malt beverages and wine with nonappropriated funds for
18 resale (including such alcoholic beverages sold by the
19 drink) on a military installation located in the United
20 States unless such malt beverages and wine are procured
21 within that State, or in the case of the District of Colum-
22 bia, within the District of Columbia, in which the military
23 installation is located: *Provided*, That in a case in which
24 the military installation is located in more than one State,
25 purchases may be made in any State in which the installa-

1 tion is located: *Provided further*, That such local procure-
2 ment requirements for malt beverages and wine shall
3 apply to all alcoholic beverages only for military installa-
4 tions in States which are not contiguous with another
5 State: *Provided further*, That alcoholic beverages other
6 than wine and malt beverages, in contiguous States and
7 the District of Columbia shall be procured from the most
8 competitive source, price and other factors considered.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 8066. Of the amounts appropriated in this Act
11 under the heading “Operation and Maintenance, Army”,
12 \$108,725,800 shall remain available until expended: *Pro-*
13 *vided*, That notwithstanding any other provision of law,
14 the Secretary of Defense is authorized to transfer such
15 funds to other activities of the Federal Government: *Pro-*
16 *vided further*, That the Secretary of Defense is authorized
17 to enter into and carry out contracts for the acquisition
18 of real property, construction, personal services, and oper-
19 ations related to projects carrying out the purposes of this
20 section: *Provided further*, That contracts entered into
21 under the authority of this section may provide for such
22 indemnification as the Secretary determines to be nec-
23 essary: *Provided further*, That projects authorized by this
24 section shall comply with applicable Federal, State, and

1 local law to the maximum extent consistent with the na-
2 tional security, as determined by the Secretary of Defense.

3 SEC. 8067. Section 8106 of the Department of De-
4 fense Appropriations Act, 1997 (titles I through VIII of
5 the matter under subsection 101(b) of Public Law 104-
6 208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall con-
7 tinue in effect to apply to disbursements that are made
8 by the Department of Defense in fiscal year 2014.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 8068. During the current fiscal year, not to ex-
11 ceed \$200,000,000 from funds available under “Operation
12 and Maintenance, Defense-Wide” may be transferred to
13 the Department of State “Global Security Contingency
14 Fund”: *Provided*, That this transfer authority is in addi-
15 tion to any other transfer authority available to the De-
16 partment of Defense: *Provided further*, That the Secretary
17 of Defense shall, not fewer than 30 days prior to making
18 transfers to the Department of State “Global Security
19 Contingency Fund”, notify the congressional defense com-
20 mittees in writing with the source of funds and a detailed
21 justification, execution plan, and timeline for each pro-
22 posed project.

23 SEC. 8069. In addition to amounts provided else-
24 where in this Act, \$4,000,000 (increased by \$16,000,000)
25 is hereby appropriated to the Department of Defense, to

1 remain available for obligation until expended: *Provided*,
2 That notwithstanding any other provision of law, that
3 upon the determination of the Secretary of Defense that
4 it shall serve the national interest, these funds shall be
5 available only for a grant to the Fisher House Foundation,
6 Inc., only for the construction and furnishing of additional
7 Fisher Houses to meet the needs of military family mem-
8 bers when confronted with the illness or hospitalization of
9 an eligible military beneficiary.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 8070. Of the amounts appropriated in this Act
12 under the headings “Procurement, Defense-Wide” and
13 “Research, Development, Test and Evaluation, Defense-
14 Wide”, \$489,091,000 (increased by \$15,000,000) shall be
15 for the Israeli Cooperative Programs: *Provided*, That of
16 this amount, \$220,309,000 (increased by \$15,000,000)
17 shall be for the Secretary of Defense to provide to the Gov-
18 ernment of Israel for the procurement of the Iron Dome
19 defense system to counter short-range rocket threats;
20 \$149,712,000 shall be for the Short Range Ballistic Mis-
21 sile Defense (SRBMD) program, including cruise missile
22 defense research and development under the SRBMD pro-
23 gram, of which \$15,000,000 shall be for production activi-
24 ties of SRBMD missiles in the United States and in Israel
25 to meet Israel’s defense requirements consistent with each

1 nation's laws, regulations, and procedures; \$74,707,000
2 shall be available for an upper-tier component to the
3 Israeli Missile Defense Architecture, and \$44,363,000
4 shall be available for the Arrow System Improvement Pro-
5 gram including development of a long range, ground and
6 airborne, detection suite: *Provided further*, That funds
7 made available under this provision for production of mis-
8 siles and missile components may be transferred to appro-
9 priations available for the procurement of weapons and
10 equipment, to be merged with and to be available for the
11 same time period and the same purposes as the appropria-
12 tion to which transferred: *Provided further*, That the
13 transfer authority provided under this provision is in addi-
14 tion to any other transfer authority provided in this Act.

15 SEC. 8071. (a) None of the funds available to the
16 Department of Defense may be obligated to modify com-
17 mand and control relationships to give Fleet Forces Com-
18 mand operational and administrative control of United
19 States Navy forces assigned to the Pacific fleet.

20 (b) None of the funds available to the Department
21 of Defense may be obligated to modify command and con-
22 trol relationships to give United States Transportation
23 Command operational and administrative control of C-
24 130 and KC-135 forces assigned to the Pacific and Euro-
25 pean Air Force Commands.

1 (c) The command and control relationships in sub-
2 sections (a) and (b) which existed on March 13, 2011,
3 shall remain in force unless changes are specifically au-
4 thorized in a subsequent Act.

5 (d) This subsection does not apply to administrative
6 control of Navy Air and Missile Defense Command.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 8072. Of the amounts appropriated in this Act
9 under the heading “Shipbuilding and Conversion, Navy”,
10 \$625,800,000 shall be available until September 30, 2014,
11 to fund prior year shipbuilding cost increases: *Provided*,
12 That upon enactment of this Act, the Secretary of the
13 Navy shall transfer funds to the following appropriations
14 in the amounts specified: *Provided further*, That the
15 amounts transferred shall be merged with and be available
16 for the same purposes as the appropriations to which
17 transferred to:

18 (1) Under the heading “Shipbuilding and Con-
19 version, Navy, 2007/2014”: LHA Replacement Pro-
20 gram \$37,700,000; and

21 (2) Under the heading “Shipbuilding and Con-
22 version, Navy, 2008/2014”: Carrier Replacement
23 Program \$588,100,000.

24 SEC. 8073. Funds appropriated by this Act, or made
25 available by the transfer of funds in this Act, for intel-

1 ligence activities are deemed to be specifically authorized
2 by the Congress for purposes of section 504 of the Na-
3 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
4 year 2014 until the enactment of the Intelligence Author-
5 ization Act for Fiscal Year 2014.

6 SEC. 8074. None of the funds provided in this Act
7 shall be available for obligation or expenditure through a
8 reprogramming of funds that creates or initiates a new
9 program, project, or activity unless such program, project,
10 or activity must be undertaken immediately in the interest
11 of national security and only after written prior notifica-
12 tion to the congressional defense committees.

13 SEC. 8075. The budget of the President for fiscal
14 year 2015 submitted to the Congress pursuant to section
15 1105 of title 31, United States Code, shall include sepa-
16 rate budget justification documents for costs of United
17 States Armed Forces' participation in contingency oper-
18 ations for the Military Personnel accounts, the Operation
19 and Maintenance accounts, and the Procurement ac-
20 counts: *Provided*, That these documents shall include a de-
21 scription of the funding requested for each contingency op-
22 eration, for each military service, to include all Active and
23 Reserve components, and for each appropriations account:
24 *Provided further*, That these documents shall include esti-
25 mated costs for each element of expense or object class,

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

11 SEC. 8076. None of the funds in this Act may be
12 used for research, development, test, evaluation, procure-
13 ment, or deployment of nuclear armed interceptors of a
14 missile defense system.

15 SEC. 8077. In addition to the amounts appropriated
16 or otherwise made available elsewhere in this Act,
17 \$44,000,000 is hereby appropriated to the Department of
18 Defense: *Provided*, That upon the determination of the
19 Secretary of Defense that it shall serve the national inter-
20 est, he shall make grants in the amounts specified as fol-
21 lows: \$20,000,000 to the United Service Organizations
22 and \$24,000,000 to the Red Cross.

23 SEC. 8078. None of the funds appropriated or made
24 available in this Act shall be used to reduce or disestablish
25 the operation of the 53rd Weather Reconnaissance Squad-

1 ron of the Air Force Reserve, if such action would reduce
2 the WC-130 Weather Reconnaissance mission below the
3 levels funded in this Act: *Provided*, That the Air Force
4 shall allow the 53rd Weather Reconnaissance Squadron to
5 perform other missions in support of national defense re-
6 quirements during the non-hurricane season.

7 SEC. 8079. None of the funds provided in this Act
8 shall be available for integration of foreign intelligence in-
9 formation unless the information has been lawfully col-
10 lected and processed during the conduct of authorized for-
11 eign intelligence activities: *Provided*, That information
12 pertaining to United States persons shall only be handled
13 in accordance with protections provided in the Fourth
14 Amendment of the United States Constitution as imple-
15 mented through Executive Order No. 12333.

16 SEC. 8080. (a) At the time members of reserve com-
17 ponents of the Armed Forces are called or ordered to ac-
18 tive duty under section 12302(a) of title 10, United States
19 Code, each member shall be notified in writing of the ex-
20 pected period during which the member will be mobilized.

21 (b) The Secretary of Defense may waive the require-
22 ments of subsection (a) in any case in which the Secretary
23 determines that it is necessary to do so to respond to a
24 national security emergency or to meet dire operational
25 requirements of the Armed Forces.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8081. The Secretary of Defense may transfer
3 funds from any available Department of the Navy appro-
4 priation to any available Navy ship construction appro-
5 priation for the purpose of liquidating necessary changes
6 resulting from inflation, market fluctuations, or rate ad-
7 justments for any ship construction program appropriated
8 in law: *Provided*, That the Secretary may transfer not to
9 exceed \$100,000,000 under the authority provided by this
10 section: *Provided further*, That the Secretary may not
11 transfer any funds until 30 days after the proposed trans-
12 fer has been reported to the Committees on Appropria-
13 tions of the House of Representatives and the Senate, un-
14 less a response from the Committees is received sooner:
15 *Provided further*, That any funds transferred pursuant to
16 this section shall retain the same period of availability as
17 when originally appropriated: *Provided further*, That the
18 transfer authority provided by this section is in addition
19 to any other transfer authority provided elsewhere in this
20 Act.

21 SEC. 8082. For purposes of section 7108 of title 41,
22 United States Code, any subdivision of appropriations
23 made under the heading “Shipbuilding and Conversion,
24 Navy” that is not closed at the time reimbursement is
25 made shall be available to reimburse the Judgment Fund

1 and shall be considered for the same purposes as any sub-
2 division under the heading “Shipbuilding and Conversion,
3 Navy” appropriations in the current fiscal year or any
4 prior fiscal year.

5 SEC. 8083. (a) None of the funds appropriated by
6 this Act may be used to transfer research and develop-
7 ment, acquisition, or other program authority relating to
8 current tactical unmanned aerial vehicles (TUAVs) from
9 the Army.

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

15 SEC. 8084. Up to \$15,000,000 of the funds appro-
16 priated under the heading “Operation and Maintenance,
17 Navy” may be made available for the Asia Pacific Re-
18 gional Initiative Program for the purpose of enabling the
19 Pacific Command to execute Theater Security Cooperation
20 activities such as humanitarian assistance, and payment
21 of incremental and personnel costs of training and exer-
22 cising with foreign security forces: *Provided*, That funds
23 made available for this purpose may be used, notwith-
24 standing any other funding authorities for humanitarian
25 assistance, security assistance or combined exercise ex-

1 penses: *Provided further*, That funds may not be obligated
2 to provide assistance to any foreign country that is other-
3 wise prohibited from receiving such type of assistance
4 under any other provision of law.

5 SEC. 8085. None of the funds appropriated by this
6 Act for programs of the Office of the Director of National
7 Intelligence shall remain available for obligation beyond
8 the current fiscal year, except for funds appropriated for
9 research and technology, which shall remain available until
10 September 30, 2015.

11 SEC. 8086. For purposes of section 1553(b) of title
12 31, United States Code, any subdivision of appropriations
13 made in this Act under the heading “Shipbuilding and
14 Conversion, Navy” shall be considered to be for the same
15 purpose as any subdivision under the heading “Ship-
16 building and Conversion, Navy” appropriations in any
17 prior fiscal year, and the 1 percent limitation shall apply
18 to the total amount of the appropriation.

19 SEC. 8087. (a) Not later than 60 days after the date
20 of enactment of this Act, the Director of National Intel-
21 ligence shall submit a report to the congressional intel-
22 ligence committees to establish the baseline for application
23 of reprogramming and transfer authorities for fiscal year
24 2014: *Provided*, That the report shall include—

1 sion are to be merged with and available for the same pur-
2 poses and time period as the appropriation to which trans-
3 ferred: *Provided further*, That the Office of Management
4 and Budget must approve any transfers made under this
5 provision.

6 SEC. 8089. (a) None of the funds provided for the
7 National Intelligence Program in this or any prior appro-
8 priations Act shall be available for obligation or expendi-
9 ture through a reprogramming or transfer of funds in ac-
10 cordance with section 102A(d) of the National Security
11 Act of 1947 (50 U.S.C. 3024(d)) that—

12 (1) creates a new start effort;

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

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

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

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

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

8 SEC. 8090. The Director of National Intelligence
9 shall submit to Congress each year, at or about the time
10 that the President's budget is submitted to Congress that
11 year under section 1105(a) of title 31, United States
12 Code, a future-years intelligence program (including asso-
13 ciated annexes) reflecting the estimated expenditures and
14 proposed appropriations included in that budget. Any such
15 future-years intelligence program shall cover the fiscal
16 year with respect to which the budget is submitted and
17 at least the four succeeding fiscal years.

18 SEC. 8091. For the purposes of this Act, the term
19 "congressional intelligence committees" means the Perma-
20 nent Select Committee on Intelligence of the House of
21 Representatives, the Select Committee on Intelligence of
22 the Senate, the Subcommittee on Defense of the Com-
23 mittee on Appropriations of the House of Representatives,
24 and the Subcommittee on Defense of the Committee on
25 Appropriations of the Senate.

1 SEC. 8095. (a) Any agency receiving funds made
2 available in this Act, shall, subject to subsections (b) and
3 (c), post on the public website of that agency any report
4 required to be submitted by the Congress in this or any
5 other Act, upon the determination by the head of the agen-
6 cy that it shall serve the national interest.

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

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

10 (2) the report contains proprietary information.

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

15 SEC. 8096. (a) None of the funds appropriated or
16 otherwise made available by this Act may be expended for
17 any Federal contract for an amount in excess of
18 \$1,000,000, unless the contractor agrees not to—

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

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

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

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

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

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

23 SEC. 8097. None of the funds made available under
24 this Act may be distributed to the Association of Commu-

1 nity Organizations for Reform Now (ACORN) or its sub-
2 sidiaries.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8098. From within the funds appropriated for
5 operation and maintenance for the Defense Health Pro-
6 gram in this Act, up to \$143,087,000, shall be available
7 for transfer to the Joint Department of Defense-Depart-
8 ment of Veterans Affairs Medical Facility Demonstration
9 Fund in accordance with the provisions of section 1704
10 of the National Defense Authorization Act for Fiscal Year
11 2010, Public Law 111–84: *Provided*, That for purposes
12 of section 1704(b), the facility operations funded are oper-
13 ations of the integrated Captain James A. Lovell Federal
14 Health Care Center, consisting of the North Chicago Vet-
15 erans Affairs Medical Center, the Navy Ambulatory Care
16 Center, and supporting facilities designated as a combined
17 Federal medical facility as described by section 706 of
18 Public Law 110–417: *Provided further*, That additional
19 funds may be transferred from funds appropriated for op-
20 eration and maintenance for the Defense Health Program
21 to the Joint Department of Defense-Department of Vet-
22 erans Affairs Medical Facility Demonstration Fund upon
23 written notification by the Secretary of Defense to the
24 Committees on Appropriations of the House of Represent-
25 atives and the Senate.

1 SEC. 8099. The Office of the Director of National
2 Intelligence shall not employ more Senior Executive em-
3 ployees than are specified in the classified annex.

4 SEC. 8100. None of the funds appropriated or other-
5 wise made available by this Act may be obligated or ex-
6 pended to pay a retired general or flag officer to serve
7 as a senior mentor advising the Department of Defense
8 unless such retired officer files a Standard Form 278 (or
9 successor form concerning public financial disclosure
10 under part 2634 of title 5, Code of Federal Regulations)
11 to the Office of Government Ethics.

12 SEC. 8101. Appropriations available to the Depart-
13 ment of Defense may be used for the purchase of heavy
14 and light armored vehicles for the physical security of per-
15 sonnel or for force protection purposes up to a limit of
16 \$250,000 per vehicle, notwithstanding price or other limi-
17 tations applicable to the purchase of passenger carrying
18 vehicles.

19 SEC. 8102. Of the amounts appropriated for “Oper-
20 ation and Maintenance, Defense-Wide” the following
21 amounts shall be available to the Secretary of Defense,
22 for the following authorized purposes, notwithstanding
23 any other provision of law, acting through the Office of
24 Economic Adjustment of the Department of Defense, to
25 make grants, concluded cooperative agreements, and sup-

1 plement other Federal funds, to remain available until ex-
2 pended, to support critical existing and enduring military
3 installation and missions on Guam, as well as any poten-
4 tial Department of Defense growth: (1) \$133,700,000 for
5 addressing the need for civilian water and wastewater im-
6 provements, and (2) \$12,868,000 for construction of a re-
7 gional public health laboratory: *Provided*, That the Sec-
8 retary of Defense shall, not fewer than 15 days prior to
9 obligating funds for either of the forgoing purposes, notify
10 the congressional defense committees in writing of the de-
11 tails of any such obligation.

12 SEC. 8103. None of the funds made available by this
13 Act may be used by the Secretary of Defense to take bene-
14 ficial occupancy of more than 2,500 parking spaces (other
15 than handicap-reserved spaces) to be provided by the
16 BRAC 133 project: *Provided*, That this limitation may be
17 waived in part if: (1) the Secretary of Defense certifies
18 to Congress that levels of service at existing intersections
19 in the vicinity of the project have not experienced failing
20 levels of service as defined by the Transportation Research
21 Board Highway Capacity Manual over a consecutive 90-
22 day period; (2) the Department of Defense and the Vir-
23 ginia Department of Transportation agree on the number
24 of additional parking spaces that may be made available
25 to employees of the facility subject to continued 90-day

1 traffic monitoring; and (3) the Secretary of Defense noti-
2 fies the congressional defense committees in writing at
3 least 14 days prior to exercising this waiver of the number
4 of additional parking spaces to be made available.

5 SEC. 8104. The Secretary of Defense shall report
6 quarterly the numbers of civilian personnel end strength
7 by appropriation account for each and every appropriation
8 account used to finance Federal civilian personnel salaries
9 to the congressional defense committees within 15 days
10 after the end of each fiscal quarter.

11 SEC. 8105. (a) None of the funds made available in
12 this or any other Act may be used to study alternatives,
13 plan, prepare, or otherwise take any action to—

14 (1) separate the budget, accounts, or disburse-
15 ment system for the National Intelligence Program
16 from the budget, accounts, or disbursement system
17 for the Department of Defense; or

18 (2) consolidate the budget, accounts, or dis-
19 bursement system for the National Intelligence Pro-
20 gram within the budget, accounts, or disbursement
21 system for the Department of Defense.

22 (b) The activities prohibited under subsection (a) in-
23 clude—

24 (1) the study, planning, preparation, or submis-
25 sion of a budget request that modifies the appropria-

1 tions account structures as in effect on the date of
2 the enactment of this Act for any Department of
3 Defense account containing funds for the National
4 Intelligence Program;

5 (2) the establishment of a new appropriations
6 account for part or all of the National Intelligence
7 Program;

8 (3) the study or implementation of a funds dis-
9bursement system for the Office of the Director of
10 National Intelligence; and

11 (4) any other action to study, prepare, or sub-
12mit a budget request to Congress that includes any
13 modifications prohibited by this section.

14 (c) In this section:

15 (1) The term “account” includes an appropria-
16tions account.

17 (2) The term “disbursement system” includes
18any system with accounting, cost accrual, fund dis-
19tribution, or disbursement functions.

20 (3) The term “National Intelligence Program”
21has the meaning given the term in section 3 of the
22National Security Act of 1947 (50 U.S.C. 3003).

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 8106. Upon a determination by the Director of
25 National Intelligence that such action is necessary and in

1 the national interest, the Director may, with the approval
2 of the Office of Management and Budget, transfer not to
3 exceed \$2,000,000,000 of the funds made available in this
4 Act for the National Intelligence Program: *Provided*, That
5 such authority to transfer may not be used unless for
6 higher priority items, based on unforeseen intelligence re-
7 quirements, than those for which originally appropriated
8 and in no case where the item for which funds are re-
9 quested has been denied by the Congress: *Provided further*,
10 That a request for multiple reprogrammings of funds
11 using authority provided in this section shall be made
12 prior to June 30, 2014.

13 SEC. 8107. None of the funds appropriated or other-
14 wise made available in this or any other Act may be used
15 to transfer, release, or assist in the transfer or release to
16 or within the United States, its territories, or possessions
17 Khalid Sheikh Mohammed or any other detainee who—

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

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

23 SEC. 8108. (a)(1) Except as provided in paragraph
24 (2) and subsection (d), none of the funds appropriated or
25 otherwise made available in this or any other Act may be

1 used to transfer any individual detained at Guantánamo
2 to the custody or control of the individual's country of ori-
3 gin, any other foreign country, or any other foreign entity
4 unless the Secretary of Defense submits to Congress the
5 certification described in subsection (b) not later than 30
6 days before the transfer of the individual.

7 (2) Paragraph (1) shall not apply to any action taken
8 by the Secretary to transfer any individual detained at
9 Guantánamo to effectuate an order affecting the disposi-
10 tion of the individual that is issued by a court or com-
11 petent tribunal of the United States having lawful jurisdic-
12 tion (which the Secretary shall notify Congress of prompt-
13 ly after issuance).

14 (b) A certification described in this subsection is a
15 written certification made by the Secretary of Defense,
16 with the concurrence of the Secretary of State, and in con-
17 sultation with the Director of National Intelligence, that—

18 (1) the government of the foreign country or
19 the recognized leadership of the foreign entity to
20 which the individual detained at Guantánamo is to
21 be transferred—

22 (A) is not a designated state sponsor of
23 terrorism or a designated foreign terrorist orga-
24 nization;

1 (B) maintains control over each detention
2 facility in which the individual is to be detained
3 if the individual is to be housed in a detention
4 facility;

5 (C) is not, as of the date of the certifi-
6 cation, facing a threat that is likely to substan-
7 tially affect its ability to exercise control over
8 the individual;

9 (D) has taken or agreed to take effective
10 actions to ensure that the individual cannot
11 take action to threaten the United States, its
12 citizens, or its allies in the future;

13 (E) has taken or agreed to take such ac-
14 tions as the Secretary of Defense determines
15 are necessary to ensure that the individual can-
16 not engage or re-engage in any terrorist activ-
17 ity; and

18 (F) has agreed to share with the United
19 States any information that—

20 (i) is related to the individual or any
21 associates of the individual; and

22 (ii) could affect the security of the
23 United States, its citizens, or its allies; and

24 (2) includes an assessment, in classified or un-
25 classified form, of the capacity, willingness, and past

1 practices (if applicable) of the foreign country or en-
2 tity in relation to the Secretary's certifications.

3 (c)(1) Except as provided in paragraph (2) and sub-
4 section (d), none of the funds appropriated or otherwise
5 made available in this or any other Act may be used to
6 transfer any individual detained at Guantánamo to the
7 custody or control of the individual's country of origin, any
8 other foreign country, or any other foreign entity if there
9 is a confirmed case of any individual who was detained
10 at United States Naval Station, Guantánamo Bay, Cuba,
11 at any time after September 11, 2001, who was trans-
12 ferred to such foreign country or entity and subsequently
13 engaged in any terrorist activity.

14 (2) Paragraph (1) shall not apply to any action taken
15 by the Secretary to transfer any individual detained at
16 Guantánamo to effectuate an order affecting the disposi-
17 tion of the individual that is issued by a court or com-
18 petent tribunal of the United States having lawful jurisdic-
19 tion (which the Secretary shall notify Congress of prompt-
20 ly after issuance).

21 (d)(1) The Secretary of Defense may waive the appli-
22 cability to a detainee transfer of a certification require-
23 ment specified in subparagraph (D) or (E) of subsection
24 (b)(1) or the prohibition in subsection (c), if the Secretary
25 certifies the rest of the criteria required by subsection (b)

1 for transfers prohibited by (c) and, with the concurrence
2 of the Secretary of State and in consultation with the Di-
3 rector of National Intelligence, determines that—

4 (A) alternative actions will be taken to address
5 the underlying purpose of the requirement or re-
6 quirements to be waived;

7 (B) in the case of a waiver of subparagraph (D)
8 or (E) of subsection (b)(1), it is not possible to cer-
9 tify that the risks addressed in the paragraph to be
10 waived have been completely eliminated, but the ac-
11 tions to be taken under subparagraph (A) will sub-
12 stantially mitigate such risks with regard to the indi-
13 vidual to be transferred;

14 (C) in the case of a waiver of subsection (c), the
15 Secretary has considered any confirmed case in
16 which an individual who was transferred to the
17 country subsequently engaged in terrorist activity,
18 and the actions to be taken under subparagraph (A)
19 will substantially mitigate the risk of recidivism with
20 regard to the individual to be transferred; and

21 (D) the transfer is in the national security in-
22 terests of the United States.

23 (2) Whenever the Secretary makes a determination
24 under paragraph (1), the Secretary shall submit to the ap-
25 propriate committees of Congress, not later than 30 days

1 before the transfer of the individual concerned, the fol-
2 lowing:

3 (A) A copy of the determination and the waiver
4 concerned.

5 (B) A statement of the basis for the determina-
6 tion, including—

7 (i) an explanation why the transfer is in
8 the national security interests of the United
9 States; and

10 (ii) in the case of a waiver of subparagraph
11 (D) or (E) of subsection (b)(1), an explanation
12 why it is not possible to certify that the risks
13 addressed in the paragraph to be waived have
14 been completely eliminated.

15 (C) A summary of the alternative actions to be
16 taken to address the underlying purpose of, and to
17 mitigate the risks addressed in, the paragraph or
18 subsection to be waived.

19 (D) The assessment required by subsection
20 (b)(2).

21 (e) In assessing the risk that an individual detained
22 at Guantánamo will engage in terrorist activity or other
23 actions that could affect the security of the United States
24 if released for the purpose of making a certification under
25 subsection (b) or a waiver under subsection (d), the Sec-

1 retary of Defense may give favorable consideration to any
2 such individual—

3 (1) who has substantially cooperated with
4 United States intelligence and law enforcement au-
5 thorities, pursuant to a pre-trial agreement, while in
6 the custody of or under the effective control of the
7 Department of Defense; and

8 (2) for whom agreements and effective mecha-
9 nisms are in place, to the extent relevant and nec-
10 essary, to provide for continued cooperation with
11 United States intelligence and law enforcement au-
12 thorities.

13 (f) In this section:

14 (1) The term “appropriate committees of Con-
15 gress” means—

16 (A) the Committee on Armed Services, the
17 Committee on Appropriations, and the Select
18 Committee on Intelligence of the Senate; and

19 (B) the Committee on Armed Services, the
20 Committee on Appropriations, and the Perma-
21 nent Select Committee on Intelligence of the
22 House of Representatives.

23 (2) The term “individual detained at
24 Guantánamo” means any individual located at

1 United States Naval Station, Guantánamo Bay,
2 Cuba, as of October 1, 2009, who—

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

6 (B) is—

7 (i) in the custody or under the control
8 of the Department of Defense; or

9 (ii) otherwise under detention at
10 United States Naval Station, Guantánamo
11 Bay, Cuba.

12 (3) The term “foreign terrorist organization”
13 means any organization so designated by the Sec-
14 retary of State under section 219 of the Immigra-
15 tion and Nationality Act (8 U.S.C. 1189).

16 SEC. 8109. (a) None of the funds appropriated or
17 otherwise made available in this or any other Act may be
18 used to construct, acquire, or modify any facility in the
19 United States, its territories, or possessions to house any
20 individual described in subsection (c) for the purposes of
21 detention or imprisonment in the custody or under the ef-
22 fective control of the Department of Defense.

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

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

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

7 (2) is—

8 (A) in the custody or under the effective
9 control of the Department of Defense; or

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

12 SEC. 8110. None of the funds made available by this
13 Act may be used to enter into a contract, memorandum
14 of understanding, or cooperative agreement with, make a
15 grant to, or provide a loan or loan guarantee to, any cor-
16 poration that any unpaid Federal tax liability has been
17 assessed, for which all judicial and administrative rem-
18 edies have been exhausted or have lapsed, and that is not
19 being paid in a timely manner pursuant to an agreement
20 with the authority responsible for collecting the tax liabil-
21 ity, where the awarding agency is aware of the unpaid tax
22 liability, unless the agency has considered suspension or
23 debarment of the corporation and made a determination
24 that this further action is not necessary to protect the in-
25 terests of the Government.

1 SEC. 8111. None of the funds made available by this
2 Act may be used to enter into a contract, memorandum
3 of understanding, or cooperative agreement with, make a
4 grant to, or provide a loan or loan guarantee to, any cor-
5 poration that was convicted of a felony criminal violation
6 under any Federal law within the preceding 24 months,
7 where the awarding agency is aware of the conviction, un-
8 less the agency has considered suspension or debarment
9 of the corporation and made a determination that this fur-
10 ther action is not necessary to protect the interests of the
11 Government.

12 SEC. 8112. None of the funds made available by this
13 Act may be used in contravention of section 1590 or 1591
14 of title 18, United States Code, or in contravention of the
15 requirements of section 106(g) or (h) of the Trafficking
16 Victims Protection Act of 2000 (22 U.S.C. 7104(g) or
17 (h)).

18 SEC. 8113. None of the funds made available by this
19 Act for International Military education and training, for-
20 eign military financing, excess defense article, assistance
21 under section 1206 of the National Defense Authorization
22 Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat.
23 3456), issuance for direct commercial sales of military
24 equipment, or peacekeeping operations for the countries
25 of Chad, Yemen, Somalia, Sudan, the Democratic Repub-

1 lic of the Congo, and Burma may be used to support any
2 military training or operation that include child soldiers,
3 as defined by the Child Soldiers Prevention Act of 2008
4 (Public Law 110–457; 22 U.S.C. 2370c–1), and except
5 if such assistance is otherwise permitted under section 404
6 of the Child Soldiers Prevention Act of 2008.

7 SEC. 8114. None of the funds made available by this
8 Act may be used in contravention of the War Powers Res-
9 olution (50 U.S.C. 1541 et seq.).

10 SEC. 8115. The Secretary of the Air Force shall obli-
11 gate and expend funds previously appropriated for the
12 procurement of RQ–4B Global Hawk aircraft for the pur-
13 poses for which such funds were originally appropriated.

14 SEC. 8116. The total amount available in the Act for
15 pay for civilian personnel of the Department of Defense
16 for fiscal year 2014 shall be the amount otherwise appro-
17 priated or made available by this Act for such pay reduced
18 by \$437,000,000.

19 SEC. 8117. None of the funds made available by this
20 Act may be used by the Department of Defense or any
21 other Federal agency to lease or purchase new light duty
22 vehicles, for any executive fleet, or for an agency’s fleet
23 inventory, except in accordance with Presidential Memo-
24 randum-Federal Fleet Performance, dated May 24, 2011.

1 SEC. 8118. None of the funds made available by this
2 Act may be used to enter into a contract with any person
3 or other entity listed in the Excluded Parties List System
4 (EPLS)/System for Award Management (SAM) as having
5 been convicted of fraud against the Federal Government.

6 SEC. 8119. (a) LIMITATION.—None of the funds
7 made available by this Act for the Department of Defense
8 may be used for the purchase of any equipment from
9 Rosoboronexport until the Secretary of Defense certifies
10 in writing to the congressional defense committees that,
11 to the best of the Secretary’s knowledge—

12 (1) Rosoboronexport is cooperating fully with
13 the Defense Contract Audit Agency;

14 (2) Rosoboronexport has not delivered S–300
15 advanced anti-aircraft missiles to Syria; and

16 (3) no new contracts have been signed between
17 the Bashar al Assad regime in Syria and
18 Rosoboronexport since January 1, 2013.

19 (b) NATIONAL SECURITY WAIVER.—

20 (1) IN GENERAL.—The Secretary of Defense
21 may waive the limitation in subsection (a) if the Sec-
22 retary certifies that the waiver in order to purchase
23 equipment from Rosoboronexport is in national secu-
24 rity interest of the United States.

1 (2) REPORT.—If the Secretary waives the limi-
2 tation in subsection (a) pursuant to paragraph (1),
3 the Secretary shall submit to the congressional de-
4 fense committees, not later than 30 days before pur-
5 chasing equipment from Rosoboronexport pursuant
6 to the waiver, a report on the waiver. The report
7 shall be submitted in classified or unclassified form,
8 at the election of the Secretary. The report shall in-
9 clude the following:

10 (A) An explanation why it is in the na-
11 tional security interest of the United States to
12 purchase equipment from Rosoboronexport.

13 (B) An explanation why comparable equip-
14 ment cannot be purchased from another cor-
15 poration.

16 (C) An assessment of the cooperation of
17 Rosoboronexport with the Defense Contract
18 Audit Agency.

19 (D) An assessment of whether and how
20 many S-300 advanced anti-aircraft missiles
21 have been delivered to the Assad regime by
22 Rosoboronexport.

23 (E) A list of the contracts that
24 Rosoboronexport has signed with the Assad re-
25 gime since January 1, 2013.

1 (c) REQUIREMENT FOR COMPETITIVELY BID CON-
2 TRACTS.—The Secretary of Defense shall award any con-
3 tract that will use United States funds for the procure-
4 ment of helicopters for the Afghan Security Forces using
5 competitive procedures based on requirements developed
6 by the Secretary of Defense.

7 SEC. 8120. Section 8159(c) of the Department of De-
8 fense Appropriations Act, 2002 (division A of Public Law
9 107–117, 10 U.S.C. 2401a note) is amended by striking
10 paragraph (7).

11 SEC. 8121. None of the funds made available in this
12 Act may be used for the purchase or manufacture of a
13 flag of the United States unless such flags are treated as
14 covered items under section 2533a(b) of title 10, United
15 States Code.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 8122. In addition to amounts appropriated or
18 otherwise made available elsewhere in this Act,
19 \$25,000,000 is hereby appropriated to the Department of
20 Defense and made available for transfer to the Army, Air
21 Force, Navy, and Marine Corps, for purposes of imple-
22 mentation of a Sexual Assault Special Victims Program:
23 *Provided*, That funds transferred under this provision are
24 to be merged with and available for the same purposes
25 and time period as the appropriation to which transferred:

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

4 SEC. 8123. None of the funds made available by this
5 Act may be used in contravention of the amendments
6 made to the Uniform Code of Military Justice in subtitle
7 D of title V of the National Defense Authorization Act
8 for Fiscal Year 2014 regarding the discharge or dismissal
9 of a member of the Armed Forces convicted of certain sex-
10 related offenses, the required trial of such offenses by gen-
11 eral courts-martial, and the limitations imposed on con-
12 vening authority discretion regarding court-martial find-
13 ings and sentence.

14 SEC. 8124. None of the funds appropriated in this,
15 or any other Act, may be obligated or expended by the
16 United States Government for the direct personal benefit
17 of the President of Afghanistan.

18 SEC. 8125. None of the funds made available by this
19 Act may be used to eliminate or reduce funding for a pro-
20 gram, project or activity as proposed in the President's
21 budget request for fiscal year 2015 until such proposed
22 change is subsequently enacted in an appropriation Act,
23 or unless such change is made pursuant to the reprogram-
24 ming or transfer provisions of this Act.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8126. In addition to amounts provided else-
3 where in this Act for pay for military personnel, including
4 Reserve and National Guard personnel, \$580,000,000 is
5 hereby appropriated to the Department of Defense and
6 made available for transfer only to military personnel ac-
7 counts.

8 TITLE IX

9 OVERSEAS DEPLOYMENTS AND OTHER

10 ACTIVITIES

11 MILITARY PERSONNEL

12 MILITARY PERSONNEL, ARMY

13 For an additional amount for “Military Personnel,
14 Army”, \$6,703,006,000: *Provided*, That such amount is
15 designated by the Congress for Overseas Contingency Op-
16 erations/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, NAVY

20 For an additional amount for “Military Personnel,
21 Navy”, \$558,344,000: *Provided*, That such amount is des-
22 ignated by the Congress for Overseas Contingency Oper-
23 ations/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 MILITARY PERSONNEL, MARINE CORPS

2 For an additional amount for “Military Personnel,
3 Marine Corps”, \$1,019,322,000: *Provided*, That such
4 amount is designated by the Congress for Overseas Con-
5 tingency Operations/Global War on Terrorism pursuant to
6 section 251(b)(2)(A)(ii) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 MILITARY PERSONNEL, AIR FORCE

9 For an additional amount for “Military Personnel,
10 Air Force”, \$867,087,000: *Provided*, That such amount
11 is designated by the Congress for Overseas Contingency
12 Operations/Global War on Terrorism pursuant to section
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 RESERVE PERSONNEL, ARMY

16 For an additional amount for “Reserve Personnel,
17 Army”, \$40,952,000: *Provided*, That such amount is des-
18 ignated by the Congress for Overseas Contingency Oper-
19 ations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 RESERVE PERSONNEL, NAVY

23 For an additional amount for “Reserve Personnel,
24 Navy”, \$20,238,000: *Provided*, That such amount is des-
25 ignated by the Congress for Overseas Contingency Oper-

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

4 RESERVE PERSONNEL, MARINE CORPS

5 For an additional amount for “Reserve Personnel,
6 Marine Corps”, \$15,134,000: *Provided*, That such amount
7 is designated by the Congress for Overseas Contingency
8 Operations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 RESERVE PERSONNEL, AIR FORCE

12 For an additional amount for “Reserve Personnel,
13 Air Force”, \$20,432,000: *Provided*, That such amount is
14 designated by the Congress for Overseas Contingency Op-
15 erations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 NATIONAL GUARD PERSONNEL, ARMY

19 For an additional amount for “National Guard Per-
20 sonnel, Army”, \$393,364,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 NATIONAL GUARD PERSONNEL, AIR FORCE

2 For an additional amount for “National Guard Per-
3 sonnel, Air Force”, \$6,919,000: *Provided*, That such
4 amount is designated by the Congress for Overseas Con-
5 tingency Operations/Global War on Terrorism pursuant to
6 section 251(b)(2)(A)(ii) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE

9 OPERATION AND MAINTENANCE, ARMY

10 For an additional amount for “Operation and Main-
11 tenance, Army”, \$30,929,633,000: *Provided*, That such
12 amount is designated by the Congress for Overseas Con-
13 tingency Operations/Global War on Terrorism pursuant to
14 section 251(b)(2)(A)(ii) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985.

16 (INCLUDING TRANSFER OF FUNDS)

17 OPERATION AND MAINTENANCE, NAVY

18 For an additional amount for “Operation and Main-
19 tenance, Navy”, \$6,255,993,000, of which up to
20 \$227,033,000 may be transferred to the Coast Guard
21 “Operating Expenses” account notwithstanding section
22 2215 of title 10, United States Code: *Provided*, That such
23 amount is designated by the Congress for Overseas Con-
24 tingency Operations/Global War on Terrorism pursuant to

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

3 OPERATION AND MAINTENANCE, MARINE CORPS

4 For an additional amount for “Operation and Main-
5 tenance, Marine Corps”, \$2,669,815,000: *Provided*, That
6 such amount is designated by the Congress for Overseas
7 Contingency Operations/Global War on Terrorism pursu-
8 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
9 and Emergency Deficit Control Act of 1985.

10 OPERATION AND MAINTENANCE, AIR FORCE

11 For an additional amount for “Operation and Main-
12 tenance, Air Force”, \$10,605,224,000: *Provided*, That
13 such amount is designated by the Congress for Overseas
14 Contingency Operations/Global War on Terrorism pursu-
15 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
16 and Emergency Deficit Control Act of 1985.

17 OPERATION AND MAINTENANCE, DEFENSE-WIDE

18 For an additional amount for “Operation and Main-
19 tenance, Defense-Wide”, \$6,240,437,000 (increased by
20 \$5,000,000) (reduced by \$5,000,000) (increased by
21 \$5,000,000) (increased by \$1,000,000,000): *Provided*,
22 That of the funds provided under this heading, not to ex-
23 ceed \$1,500,000,000, to remain available until September
24 30, 2015, shall be for payments to reimburse key cooper-
25 ating nations for logistical, military, and other support,

1 including access, provided to United States military oper-
2 ations in support of Operation Enduring Freedom, and
3 post-operation Iraq border security related to the activities
4 of the Office of Security Cooperation in Iraq, notwith-
5 standing any other provision of law: *Provided further*, That
6 such reimbursement payments may be made in such
7 amounts as the Secretary of Defense, with the concurrence
8 of the Secretary of State, and in consultation with the Di-
9 rector of the Office of Management and Budget, may de-
10 termine, in his discretion, based on documentation deter-
11 mined by the Secretary of Defense to adequately account
12 for the support provided, and such determination is final
13 and conclusive upon the accounting officers of the United
14 States, and 15 days following notification to the appro-
15 priate congressional committees: *Provided further*, That
16 the requirement under this heading to provide notification
17 to the appropriate congressional committees shall not
18 apply with respect to a reimbursement for access based
19 on an international agreement: *Provided further*, That
20 these funds may be used for the purpose of providing spe-
21 cialized training and procuring supplies and specialized
22 equipment and providing such supplies and loaning such
23 equipment on a non-reimbursable basis to coalition forces
24 supporting United States military operations in Afghani-
25 stan, and 15 days following notification to the appropriate

1 congressional committees: *Provided further*, That the Sec-
2 retary of Defense shall provide quarterly reports to the
3 congressional defense committees on the use of funds pro-
4 vided in this paragraph: *Provided further*, That of the
5 funds provided under this heading, \$35,000,000 shall be
6 made available for support for foreign forces participating
7 in operations to counter the Lord's Resistance Army ef-
8 forts: *Provided further*, That such amount in this section
9 is designated by the Congress for Overseas Contingency
10 Operations/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 OPERATION AND MAINTENANCE, ARMY RESERVE

14 For an additional amount for "Operation and Main-
15 tenance, Army Reserve", \$42,935,000: *Provided*, That
16 such amount is designated by the Congress for Overseas
17 Contingency Operations/Global War on Terrorism pursu-
18 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
19 and Emergency Deficit Control Act of 1985.

20 OPERATION AND MAINTENANCE, NAVY RESERVE

21 For an additional amount for "Operation and Main-
22 tenance, Navy Reserve", \$55,700,000: *Provided*, That
23 such amount is designated by the Congress for Overseas
24 Contingency Operations/Global War on Terrorism pursu-

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

3 OPERATION AND MAINTENANCE, MARINE CORPS
4 RESERVE

5 For an additional amount for “Operation and Main-
6 tenance, Marine Corps Reserve”, \$12,534,000: *Provided*,
7 That such amount is designated by the Congress for Over-
8 seas Contingency Operations/Global War on Terrorism
9 pursuant to section 251(b)(2)(A)(ii) of the Balanced
10 Budget and Emergency Deficit Control Act of 1985.

11 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

12 For an additional amount for “Operation and Main-
13 tenance, Air Force Reserve”, \$32,849,000: *Provided*, That
14 such amount is designated by the Congress for Overseas
15 Contingency Operations/Global War on Terrorism pursu-
16 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
17 and Emergency Deficit Control Act of 1985.

18 OPERATION AND MAINTENANCE, ARMY NATIONAL
19 GUARD

20 For an additional amount for “Operation and Main-
21 tenance, Army National Guard”, \$199,371,000: *Provided*,
22 That such amount is designated by the Congress for Over-
23 seas Contingency Operations/Global War on Terrorism
24 pursuant to section 251(b)(2)(A)(ii) of the Balanced
25 Budget and Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

2 For an additional amount for “Operation and Main-
3 tenance, Air National Guard”, \$22,200,000: *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 OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND
9 (INCLUDING TRANSFER OF FUNDS)

10 In addition to amounts provided elsewhere in this
11 Act, there is appropriated \$1,073,800,000 for the “Over-
12 seas Contingency Operations Transfer Fund” for expenses
13 directly relating to overseas contingency operations by
14 United States military forces, to be available until ex-
15 pended: *Provided*, That of the funds made available in this
16 section, the Secretary of Defense may transfer these funds
17 only to military personnel accounts, operation and mainte-
18 nance accounts, procurement accounts, and working cap-
19 ital fund accounts: *Provided further*, That the funds made
20 available in this paragraph may only be used for pro-
21 grams, projects, or activities categorized as Overseas Con-
22 tingency Operations in the fiscal year 2014 budget request
23 for the Department of Defense and the justification mate-
24 rial and other documentation supporting such request:
25 *Provided further*, That the funds transferred shall be

1 merged with and shall be available for the same purposes
2 and for the same time period, as the appropriation to
3 which transferred: *Provided further*, That the Secretary
4 shall notify the congressional defense committees 15 days
5 prior to such transfer: *Provided further*, That the transfer
6 authority provided under this heading is in addition to any
7 other transfer authority available to the Department of
8 Defense: *Provided further*, That upon a determination that
9 all or part of the funds transferred from this appropriation
10 are not necessary for the purposes provided herein, such
11 amounts may be transferred back to this appropriation
12 and shall be available for the same purposes and for the
13 same time period as originally appropriated: *Provided fur-*
14 *ther*, That such amount is designated by the Congress for
15 Overseas Contingency Operations/Global War on Ter-
16 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
17 anced Budget and Emergency Deficit Control Act of 1985.

18 AFGHANISTAN INFRASTRUCTURE FUND

19 (INCLUDING TRANSFER OF FUNDS)

20 For the “Afghanistan Infrastructure Fund”,
21 \$279,000,000 (reduced by \$79,000,000) (reduced by
22 \$139,000,000), to remain available until September 30,
23 2015: *Provided*, That such funds shall be available to the
24 Secretary of Defense for infrastructure projects in Af-
25 ghanistan, notwithstanding any other provision of law,

1 which shall be undertaken by the Secretary of State, un-
2 less the Secretary of State and the Secretary of Defense
3 jointly decide that a specific project will be undertaken
4 by the Department of Defense: *Provided further*, That the
5 infrastructure referred to in the preceding proviso is in
6 support of the counterinsurgency strategy, which may re-
7 quire funding for facility and infrastructure projects, in-
8 cluding, but not limited to, water, power, and transpor-
9 tation projects and related maintenance and sustainment
10 costs: *Provided further*, That the authority to undertake
11 such infrastructure projects is in addition to any other au-
12 thority to provide assistance to foreign nations: *Provided*
13 *further*, That any projects funded under this heading shall
14 be jointly formulated and concurred in by the Secretary
15 of State and Secretary of Defense: *Provided further*, That
16 funds may be transferred to the Department of State for
17 purposes of undertaking projects, which funds shall be
18 considered to be economic assistance under the Foreign
19 Assistance Act of 1961 for purposes of making available
20 the administrative authorities contained in that Act: *Pro-*
21 *vided further*, That the transfer authority in the preceding
22 proviso is in addition to any other authority available to
23 the Department of Defense to transfer funds: *Provided*
24 *further*, That any unexpended funds transferred to the
25 Secretary of State under this authority shall be returned

1 to the Afghanistan Infrastructure Fund if the Secretary
2 of State, in coordination with the Secretary of Defense,
3 determines that the project cannot be implemented for any
4 reason, or that the project no longer supports the counter-
5 insurgency strategy in Afghanistan: *Provided further*,
6 That any funds returned to the Secretary of Defense
7 under the previous proviso shall be available for use under
8 this appropriation and shall be treated in the same man-
9 ner as funds not transferred to the Secretary of State:
10 *Provided further*, That contributions of funds for the pur-
11 poses provided herein to the Secretary of State in accord-
12 ance with section 635(d) of the Foreign Assistance Act
13 from any person, foreign government, or international or-
14 ganization may be credited to this Fund, to remain avail-
15 able until expended, and used for such purposes: *Provided*
16 *further*, That the Secretary of Defense shall, not fewer
17 than 15 days prior to making transfers to or from, or obli-
18 gations from the Fund, notify the appropriate committees
19 of Congress in writing of the details of any such transfer:
20 *Provided further*, That the “appropriate committees of
21 Congress” are the Committees on Armed Services, For-
22 eign Relations, and Appropriations of the Senate and the
23 Committees on Armed Services, Foreign Affairs, and Ap-
24 propriations of the House of Representatives: *Provided*
25 *further*, That such amount is designated by the Congress

1 for Overseas Contingency Operations/Global War on Ter-
2 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985.

4 AFGHANISTAN SECURITY FORCES FUND

5 (INCLUDING TRANSFER OF FUNDS)

6 For the “Afghanistan Security Forces Fund”,
7 \$7,726,720,000 (reduced by \$38,000,000) (reduced by
8 \$19,000,000) (reduced by \$27,500,000) (reduced by
9 \$60,000,000) (reduced by \$553,800,000) (reduced by
10 \$2,600,000,000), to remain available until September 30,
11 2015: *Provided*, That such funds shall be available to the
12 Secretary of Defense, notwithstanding any other provision
13 of law, for the purpose of allowing the Commander, Com-
14 bined Security Transition Command—Afghanistan, or the
15 Secretary’s designee, to provide assistance, with the con-
16 currence of the Secretary of State, to the security forces
17 of Afghanistan, including the provision of equipment, sup-
18 plies, services, training, facility and infrastructure repair,
19 renovation, and construction, and funding: *Provided fur-*
20 *ther*, That the authority to provide assistance under this
21 heading is in addition to any other authority to provide
22 assistance to foreign nations: *Provided further*, That con-
23 tributions of funds for the purposes provided herein from
24 any person, foreign government, or international organiza-
25 tion may be credited to this Fund, to remain available

1 until expended, and used for such purposes: *Provided fur-*
2 *ther*, That the Secretary of Defense shall notify the con-
3 gressional defense committees in writing upon the receipt
4 and upon the obligation of any contribution, delineating
5 the sources and amounts of the funds received and the
6 specific use of such contributions: *Provided further*, That
7 the Secretary of Defense shall, not fewer than 15 days
8 prior to obligating from this appropriation account, notify
9 the congressional defense committees in writing of the de-
10 tails of any such obligations: *Provided further*, That the
11 Secretary of Defense shall notify the congressional defense
12 committees of any proposed new projects or transfer of
13 funds between budget sub-activity groups in excess of
14 \$20,000,000: *Provided further*, That the United States
15 may accept equipment procured using funds provided
16 under this heading in this or prior Acts that was trans-
17 ferred to the security forces of Afghanistan and returned
18 by such forces to the United States: *Provided further*, That
19 the equipment described in the previous proviso, as well
20 as equipment not yet transferred to the security forces of
21 Afghanistan when determined by the Commander, Com-
22 bined Security Transition Command-Afghanistan, or the
23 Secretary's designee, to no longer be required for transfer
24 to such forces, may be treated as stocks of the Department
25 of Defense upon written notification to the congressional

1 defense committees: *Provided further*, That of the funds
2 provided under this heading, not less than \$47,300,000
3 shall be for recruitment and retention of women in the
4 Afghanistan National Security Forces: *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 PROCUREMENT

10 AIRCRAFT PROCUREMENT, ARMY

11 For an additional amount for “Aircraft Procurement,
12 Army”, \$771,788,000, to remain available until Sep-
13 tember 30, 2016: *Provided*, That such amount is des-
14 ignated by the Congress for Overseas Contingency Oper-
15 ations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 MISSILE PROCUREMENT, ARMY

19 For an additional amount for “Missile Procurement,
20 Army”, \$154,532,000, to remain available until Sep-
21 tember 30, 2016: *Provided*, That such amount is des-
22 ignated by the Congress for Overseas Contingency Oper-
23 ations/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 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
2 VEHICLES, ARMY

3 For an additional amount for “Procurement of Weap-
4 ons and Tracked Combat Vehicles, Army”, \$15,422,000,
5 to remain available until September 30, 2015: *Provided*,
6 That such amount is designated by the Congress for Over-
7 seas Contingency Operations/Global War on Terrorism
8 pursuant to section 251(b)(2)(A)(ii) of the Balanced
9 Budget and Emergency Deficit Control Act of 1985.

10 PROCUREMENT OF AMMUNITION, ARMY

11 For an additional amount for “Procurement of Am-
12 munition, Army”, \$190,382,000, to remain available until
13 September 30, 2016: *Provided*, That such amount is des-
14 ignated by the Congress for Overseas Contingency Oper-
15 ations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 OTHER PROCUREMENT, ARMY

19 For an additional amount for “Other Procurement,
20 Army”, \$909,825,000, to remain available until Sep-
21 tember 30, 2016: *Provided*, That such amount is des-
22 ignated by the Congress for Overseas Contingency Oper-
23 ations/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 AIRCRAFT PROCUREMENT, NAVY

2 For an additional amount for “Aircraft Procurement,
3 Navy”, \$240,696,000, to remain available until September
4 30, 2016: *Provided*, That such amount is designated by
5 the 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 WEAPONS PROCUREMENT, NAVY

10 For an additional amount for “Weapons Procure-
11 ment, Navy”, \$86,500,000, to remain available until Sep-
12 tember 30, 2016: *Provided*, That such amount is des-
13 ignated by the Congress for Overseas Contingency Oper-
14 ations/Global War on Terrorism pursuant to section
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
18 CORPS

19 For an additional amount for “Procurement of Am-
20 munition, Navy and Marine Corps”, \$169,362,000, to re-
21 main available until September 30, 2016: *Provided*, That
22 such amount is designated by the Congress for Overseas
23 Contingency Operations/Global War on Terrorism pursu-
24 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
25 and Emergency Deficit Control Act of 1985.

1 OTHER PROCUREMENT, NAVY

2 For an additional amount for “Other Procurement,
3 Navy”, \$17,968,000, to remain available until September
4 30, 2016: *Provided*, That such amount is designated by
5 the 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 PROCUREMENT, MARINE CORPS

10 For an additional amount for “Procurement, Marine
11 Corps”, \$125,984,000, to remain available until Sep-
12 tember 30, 2016: *Provided*, That such amount is des-
13 ignated by the Congress for Overseas Contingency Oper-
14 ations/Global War on Terrorism pursuant to section
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 AIRCRAFT PROCUREMENT, AIR FORCE

18 For an additional amount for “Aircraft Procurement,
19 Air Force”, \$188,868,000, to remain available until Sep-
20 tember 30, 2016: *Provided*, That such amount is des-
21 ignated by the Congress for Overseas Contingency Oper-
22 ations/Global War on Terrorism pursuant to section
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 MISSILE PROCUREMENT, AIR FORCE

2 For an additional amount for “Missile Procurement,
3 Air Force”, \$24,200,000, to remain available until Sep-
4 tember 30, 2016: *Provided*, That such amount is des-
5 ignated by the Congress for Overseas Contingency Oper-
6 ations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 PROCUREMENT OF AMMUNITION, AIR FORCE

10 For an additional amount for “Procurement of Am-
11 munition, Air Force”, \$137,826,000, to remain available
12 until September 30, 2016: *Provided*, That such amount
13 is designated by the Congress for Overseas Contingency
14 Operations/Global War on Terrorism pursuant to section
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 OTHER PROCUREMENT, AIR FORCE

18 For an additional amount for “Other Procurement,
19 Air Force”, \$2,524,846,000, to remain available until
20 September 30, 2016: *Provided*, That such amount is des-
21 ignated by the Congress for Overseas Contingency Oper-
22 ations/Global War on Terrorism pursuant to section
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 PROCUREMENT, DEFENSE-WIDE

2 For an additional amount for “Procurement, De-
3 fense-Wide”, \$128,947,000, to remain available until Sep-
4 tember 30, 2016: *Provided*, That such amount is des-
5 ignated by the Congress for Overseas Contingency Oper-
6 ations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 NATIONAL GUARD AND RESERVE EQUIPMENT

10 For procurement of aircraft, missiles, tracked combat
11 vehicles, ammunition, other weapons and other procure-
12 ment for the reserve components of the Armed Forces,
13 \$1,500,000,000, to remain available for obligation until
14 September 30, 2016: *Provided*, That the Chiefs of Na-
15 tional Guard and Reserve components shall, not later than
16 30 days after the enactment of this Act, individually sub-
17 mit to the congressional defense committees the mod-
18 ernization priority assessment for their respective Na-
19 tional Guard or Reserve component: *Provided further*,
20 That such amount is designated by the Congress for Over-
21 seas Contingency Operations/Global War on Terrorism
22 pursuant to section 251(b)(2)(A)(ii) of the Balanced
23 Budget and Emergency Deficit Control Act of 1985.

1 RESEARCH, DEVELOPMENT, TEST, AND
2 EVALUATION

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
4 ARMY

5 For an additional amount for “Research, Develop-
6 ment, Test and Evaluation, Army”, \$7,000,000, to remain
7 available until September 30, 2015: *Provided*, That such
8 amount is designated by the Congress for Overseas Con-
9 tingency Operations/Global War on Terrorism pursuant to
10 section 251(b)(2)(A)(ii) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985.

12 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
13 NAVY

14 For an additional amount for “Research, Develop-
15 ment, Test and Evaluation, Navy”, \$34,426,000, to re-
16 main available until September 30, 2015: *Provided*, That
17 such amount is designated by the Congress for Overseas
18 Contingency Operations/Global War on Terrorism pursu-
19 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
20 and Emergency Deficit Control Act of 1985.

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

23 For an additional amount for “Research, Develop-
24 ment, Test and Evaluation, Air Force”, \$9,000,000, to re-
25 main available until September 30, 2015: *Provided*, That

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

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

7 For an additional amount for “Research, Develop-
8 ment, Test and Evaluation, Defense-Wide”, \$66,208,000,
9 to remain available until September 30, 2015: *Provided*,
10 That such amount is designated by the Congress for Over-
11 seas Contingency Operations/Global War on Terrorism
12 pursuant to section 251(b)(2)(A)(ii) of the Balanced
13 Budget and Emergency Deficit Control Act of 1985.

14 REVOLVING AND MANAGEMENT FUNDS

15 DEFENSE WORKING CAPITAL FUNDS

16 For an additional amount for “Defense Working
17 Capital Funds”, \$264,910,000: *Provided*, That such
18 amount is designated by the Congress for Overseas Con-
19 tingency Operations/Global War on Terrorism pursuant to
20 section 251(b)(2)(A)(ii) of the Balanced Budget and
21 Emergency Deficit Control Act of 1985.

22 OTHER DEPARTMENT OF DEFENSE PROGRAMS

23 DEFENSE HEALTH PROGRAM

24 For an additional amount for “Defense Health Pro-
25 gram”, \$904,201,000 (increased by \$10,000,000) (in-

1 creased by \$5,000,000) (increased by \$14,000,000), which
2 shall be for operation and maintenance: *Provided*, That
3 such amount is designated by the Congress for Overseas
4 Contingency Operations/Global War on Terrorism pursu-
5 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
6 and Emergency Deficit Control Act of 1985.

7 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
8 DEFENSE

9 For an additional amount for “Drug Interdiction and
10 Counter-Drug Activities, Defense”, \$376,305,000, to re-
11 main available until September 30, 2015: *Provided*, That
12 such amount is designated by the Congress for Overseas
13 Contingency Operations/Global War on Terrorism pursu-
14 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
15 and Emergency Deficit Control Act of 1985.

16 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND
17 (INCLUDING TRANSFER OF FUNDS)

18 For the “Joint Improvised Explosive Device Defeat
19 Fund”, \$1,000,000,000, to remain available until Sep-
20 tember 30, 2016: *Provided*, That such funds shall be avail-
21 able to the Secretary of Defense, notwithstanding any
22 other provision of law, for the purpose of allowing the Di-
23 rector of the Joint Improvised Explosive Device Defeat
24 Organization to investigate, develop and provide equip-
25 ment, supplies, services, training, facilities, personnel and

1 funds to assist United States forces in the defeat of impro-
2 vised explosive devices: *Provided further*, That the Sec-
3 retary of Defense may transfer funds provided herein to
4 appropriations for military personnel; operation and main-
5 tenance; procurement; research, development, test and
6 evaluation; and defense working capital funds to accom-
7 plish the purpose provided herein: *Provided further*, That
8 this transfer authority is in addition to any other transfer
9 authority available to the Department of Defense: *Pro-*
10 *vided further*, That the Secretary of Defense shall, not
11 fewer than 15 days prior to making transfers from this
12 appropriation, notify the congressional defense committees
13 in writing of the details of any such transfer: *Provided*
14 *further*, That such amount is designated by the Congress
15 for Overseas Contingency Operations/Global War on Ter-
16 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
17 anced Budget and Emergency Deficit Control Act of 1985.

18 OFFICE OF THE INSPECTOR GENERAL

19 For an additional amount for the “Office of the In-
20 spector General”, \$10,766,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 GENERAL PROVISIONS—THIS TITLE

2 SEC. 9001. Notwithstanding any other provision of
3 law, funds made available in this title are in addition to
4 amounts appropriated or otherwise made available for the
5 Department of Defense for fiscal year 2014.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 9002. Upon the determination of the Secretary
8 of Defense that such action is necessary in the national
9 interest, the Secretary may, with the approval of the Of-
10 fice of Management and Budget, transfer up to
11 \$4,000,000,000 between the appropriations or funds made
12 available to the Department of Defense in this title: *Pro-*
13 *vided*, That the Secretary shall notify the Congress
14 promptly of each transfer made pursuant to the authority
15 in this section: *Provided further*, That the authority pro-
16 vided in this section is in addition to any other transfer
17 authority available to the Department of Defense and is
18 subject to the same terms and conditions as the authority
19 provided in the Department of Defense Appropriations
20 Act, 2014.

21 SEC. 9003. Supervision and administration costs and
22 costs for design during construction associated with a con-
23 struction project funded with appropriations available for
24 operation and maintenance, “Afghanistan Infrastructure
25 Fund”, or the “Afghanistan Security Forces Fund” pro-

1 vided in this Act and executed in direct support of over-
2 seas contingency operations in Afghanistan, may be obli-
3 gated at the time a construction contract is awarded: *Pro-*
4 *vided*, That for the purpose of this section, supervision and
5 administration costs and costs for design during construc-
6 tion include all in-house Government costs.

7 SEC. 9004. From funds made available in this title,
8 the Secretary of Defense may purchase for use by military
9 and civilian employees of the Department of Defense in
10 the United States Central Command area of responsi-
11 bility: (1) passenger motor vehicles up to a limit of
12 \$75,000 per vehicle; and (2) heavy and light armored vehi-
13 cles for the physical security of personnel or for force pro-
14 tection purposes up to a limit of \$250,000 per vehicle, not-
15 withstanding price or other limitations applicable to the
16 purchase of passenger carrying vehicles.

17 SEC. 9005. Not to exceed \$60,000,000 of the amount
18 appropriated by this Act under the heading “Operation
19 and Maintenance, Army” may be used, notwithstanding
20 any other provision of law, to fund the Commander’s
21 Emergency Response Program (CERP), for the purpose
22 of enabling military commanders in Afghanistan to re-
23 spond to urgent, small-scale, humanitarian relief and re-
24 construction requirements within their areas of responsi-
25 bility: *Provided*, That each project (including any ancillary

1 or related elements in connection with such project) exe-
2 cuted under this authority shall not exceed \$20,000,000:
3 *Provided further*, That not later than 45 days after the
4 end of each fiscal year quarter, the Secretary of Defense
5 shall submit to the congressional defense committees a re-
6 port regarding the source of funds and the allocation and
7 use of funds during that quarter that were made available
8 pursuant to the authority provided in this section or under
9 any other provision of law for the purposes described here-
10 in: *Provided further*, That, not later than 30 days after
11 the end of each month, the Army shall submit to the con-
12 gressional defense committees monthly commitment, obli-
13 gation, and expenditure data for the Commander's Emer-
14 gency Response Program in Afghanistan: *Provided fur-*
15 *ther*, That not less than 15 days before making funds
16 available pursuant to the authority provided in this section
17 or under any other provision of law for the purposes de-
18 scribed herein for a project with a total anticipated cost
19 for completion of \$5,000,000 or more, the Secretary shall
20 submit to the congressional defense committees a written
21 notice containing each of the following:

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

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

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

13 SEC. 9006. Funds available to the Department of De-
14 fense for operation and maintenance may be used, not-
15 withstanding any other provision of law, to provide sup-
16 plies, services, transportation, including airlift and sealift,
17 and other logistical support to coalition forces supporting
18 military and stability operations in Afghanistan: *Provided*,
19 That the Secretary of Defense shall provide quarterly re-
20 ports to the congressional defense committees regarding
21 support provided under this section.

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

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

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

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

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

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

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

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

6 SEC. 9009. None of the funds provided for the “Af-
7 ghanistan Security Forces Fund” (ASFF) may be obli-
8 gated prior to the approval of a financial and activity plan
9 by the Afghanistan Resources Oversight Council (AROC)
10 of the Department of Defense: *Provided*, That the AROC
11 must approve the requirement and acquisition plan for any
12 service requirements in excess of \$50,000,000 annually
13 and any non-standard equipment requirements in excess
14 of \$100,000,000 using ASFF: *Provided further*, That the
15 AROC must approve all projects and the execution plan
16 under the “Afghanistan Infrastructure Fund” (AIF) and
17 any project in excess of \$5,000,000 from the Commanders
18 Emergency Response Program (CERP): *Provided further*,
19 That the Department of Defense must certify to the con-
20 gressional defense committees that the AROC has con-
21 vened and approved a process for ensuring compliance
22 with the requirements in the preceding provisos and ac-
23 companying report language for the ASFF, AIF, and
24 CERP.

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

11 SEC. 9011. Notwithstanding any other provision of
12 law, up to \$63,800,000 of funds made available in this
13 title under the heading “Operation and Maintenance,
14 Army” may be obligated and expended for purposes of the
15 Task Force for Business and Stability Operations, subject
16 to the direction and control of the Secretary of Defense,
17 with concurrence of the Secretary of State, to carry out
18 strategic business and economic assistance activities in Af-
19 ghanistan in support of Operation Enduring Freedom:
20 *Provided*, That not less than 15 days before making funds
21 available pursuant to the authority provided in this section
22 for any project with a total anticipated cost of \$5,000,000
23 or more, the Secretary shall submit to the congressional
24 defense committees a written notice containing a detailed
25 justification and timeline for each proposed project.

1 SEC. 9012. From funds made available to the De-
2 partment of Defense by this Act under the heading “Oper-
3 ation and Maintenance, Air Force” up to \$209,000,000
4 may be used by the Secretary of Defense, notwithstanding
5 any other provision of law, to support United States Gov-
6 ernment transition activities in Iraq by funding the oper-
7 ations and activities of the Office of Security Cooperation
8 in Iraq and security assistance teams, including life sup-
9 port, transportation and personal security, and facilities
10 renovation and construction, and site closeout activities
11 prior to returning sites to the Government of Iraq: *Pro-*
12 *vided*, That to the extent authorized under the National
13 Defense Authorization Act for Fiscal Year 2014, the oper-
14 ations and activities that may be carried out by the Office
15 of Security Cooperation in Iraq may, with the concurrence
16 of the Secretary of State, include non-operational training
17 activities in support of Iraqi Ministry of Defense and
18 Counter Terrorism Service personnel in an institutional
19 environment to address capability gaps, integrate proc-
20 esses relating to intelligence, air sovereignty, combined
21 arms, logistics and maintenance, and to manage and inte-
22 grate defense-related institutions: *Provided further*, That
23 not later than 30 days following the enactment of this Act,
24 the Secretary of Defense and the Secretary of State shall
25 submit to the congressional defense committees a plan for

1 transitioning any such training activities that they deter-
2 mine are needed after the end of fiscal year 2013, to exist-
3 ing or new contracts for the sale of defense articles or
4 defense services consistent with the provisions of the Arms
5 Export Control Act (22 U.S.C. 2751 et seq.): *Provided*
6 *further*, That not less than 15 days before making funds
7 available pursuant to the authority provided in this sec-
8 tion, the Secretary of Defense shall submit to the congres-
9 sional defense committees a written notification containing
10 a detailed justification and timeline for the operations and
11 activities of the Office of Security Cooperation in Iraq at
12 each site where such operations and activities will be con-
13 ducted during fiscal year 2013.

14 (RESCISSIONS)

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

23 “General Provisions, 2009/XXXX”,
24 \$46,022,000.

1 SEC. 9014. (a) None of the funds appropriated or
2 otherwise made available by this Act under the heading
3 “Operation and Maintenance, Defense-Wide” for pay-
4 ments under section 1233 of Public Law 110–181 for re-
5 imbursement to the Government of Pakistan may be made
6 available unless the Secretary of Defense, in coordination
7 with the Secretary of State, certifies to the Committees
8 on Appropriations that the Government of Pakistan is—

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

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

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

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

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

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

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

11 (b) The Secretary of Defense, in coordination with
12 the Secretary of State, may waive the restriction in para-
13 graph (a) on a case-by-case basis by certifying in writing
14 to the Committees on Appropriations of the House of Rep-
15 resentatives and the Senate that it is in the national secu-
16 rity interest to do so: *Provided*, That if the Secretary of
17 Defense, in coordination with the Secretary of State, exer-
18 cises the authority of the previous proviso, the Secretaries
19 shall report to the Committees on Appropriations on both
20 the justification for the waiver and on the requirements
21 of this section that the Government of Pakistan was not
22 able to meet: *Provided further*, That such report may be
23 submitted in classified form if necessary.

1 TITLE X—ADDITIONAL GENERAL PROVISIONS
2 SPENDING REDUCTION ACCOUNT

3 SEC. 10001. The amount by which the applicable al-
4 location of new budget authority made by the Committee
5 on Appropriations of the House of Representatives under
6 section 302(b) of the Congressional Budget Act of 1974
7 exceeds the amount of proposed new budget authority is
8 \$0 (increased by \$79,000,000) (increased by
9 \$139,000,000) (increased by \$553,800,000).

10 SEC. 10002. None of the funds made available by this
11 Act may be used to cancel or modify the avionics mod-
12 ernization program of record for C-130 aircraft.

13 SEC. 10003. None of the funds made available by this
14 Act may be used to—

15 (1) plan for, consider, or carry out any action
16 to remove any portion of the Mount Soledad Vet-
17 erans Memorial in San Diego, California;

18 (2) convey, or authorize the conveyance of, such
19 memorial; or

20 (3) plan for or accept any reimbursement for
21 any action described in paragraph (1) or (2).

22 SEC. 10004. None of the funds made available by this
23 Act may be used by the Department of Defense to grant
24 an enlistment waiver for an offense within offense code
25 433 (rape, sexual abuse, sexual assault, criminal sexual

1 abuse, incest, or other sex crimes), as specified in Table
2 1 of the memorandum from the Under Secretary of De-
3 fense with the subject line “Directive-Type Memorandum
4 (DTM) 08-018—‘Enlistment Waivers’”, dated June 27,
5 2008 (incorporating Change 3, March 20, 2013).

6 SEC. 10005. None of the funds made available by this
7 Act may be used by the Secretary of the Air Force to re-
8 duce the force structure at Lajes Field, Azores, Portugal,
9 below the total number of military and civilian personnel
10 assigned to Lajes Field on October 1, 2012.

11 SEC. 10006. None of the Operation and Maintenance
12 funds made available in this Act may be used in con-
13 travention of section 41106 of title 49, United States
14 Code.

15 SEC. 10007. None of the funds made available by this
16 Act may be used to enter into a contract for the purchase
17 of an American flag if the flag is certified (pursuant to
18 the Federal Acquisition Regulation) as a foreign end prod-
19 uct.

20 SEC. 10008. None of the funds made available by this
21 Act may be used by the Department of Defense to lease
22 or purchase new light duty vehicles for any executive fleet,
23 or for an agency’s fleet inventory, except in accordance
24 with Presidential Memorandum—Federal Fleet Perform-
25 ance, dated May 24, 2011.

1 SEC. 10009. None of the funds made available by this
2 Act may be used to enter into a contract with any offeror
3 or any of its principals if the offeror certifies, pursuant
4 to the Federal Acquisition Regulation, that the offeror or
5 any of its principals—

6 (1) within a three-year period preceding this
7 offer has been convicted of or had a civil judgment
8 rendered against it for commission of fraud or a
9 criminal offense in connection with obtaining, at-
10 tempting to obtain, or performing a public (Federal,
11 State, or local) contract or subcontract; violation of
12 Federal or State antitrust statutes relating to the
13 submission of offers; or commission of embezzle-
14 ment, theft, forgery, bribery, falsification or destruc-
15 tion of records, making false statements, tax eva-
16 sion, violating Federal criminal tax laws, or receiving
17 stolen property;

18 (2) are presently indicted for, or otherwise
19 criminally or civilly charged by a governmental enti-
20 ty with, commission of any of the offenses enumer-
21 ated in paragraph (1); or

22 (3) within a three-year period preceding this
23 offer, has been notified of any delinquent Federal
24 taxes in an amount that exceeds \$3,000 for which
25 the liability remains unsatisfied.

1 SEC. 10010. None of the funds made available by this
2 Act may be used to engage in an act covered by or de-
3 scribed in section 2340A of title 18, United States Code.

4 SEC. 10011. None of the funds made available by this
5 Act may be used for flag or general officers for each mili-
6 tary department that are in excess to the number of such
7 officers serving in such military department as of the date
8 of the enactment of this Act.

9 SEC. 10012. None of the funds made available in this
10 Act may be used to fund the performance of any Depart-
11 ment of Defense flight demonstration team at a location
12 outside the United States.

13 SEC. 10013. None of the funds made available by this
14 Act may be used to maintain or improve Department of
15 Defense real property with a zero percent utilization rate
16 according to the Department's real property inventory
17 database, except in the case of maintenance of an historic
18 property as required by the National Historic Preservation
19 Act (16 U.S.C. 470 et seq.) or maintenance to prevent
20 a negative environmental impact as required by the Na-
21 tional Environmental Policy Act of 1969 (42 U.S.C. 4321
22 et seq.).

23 SEC. 10014. None of the funds made available in this
24 Act may be used to operate an unmanned aerial system

1 in contravention of the fourth amendment to the Constitu-
2 tion.

3 SEC. 10015. None of the funds made available by this
4 Act may be used to enter into any contract after the date
5 of the enactment of this Act for the procurement or pro-
6 duction of any non-petroleum based fuel for use as the
7 same purpose or as a drop-in substitute for petroleum.

8 SEC. 10016. None of the funds made available by this
9 Act may be used to carry out a furlough (as defined in
10 section 7511(a)(5) of title 5, United States Code) that—

11 (1) includes in the notice of the furlough made
12 pursuant to section 752.404(b) of title 5, Code of
13 Federal Regulations, “sequestration” as the reason
14 for the furlough; and

15 (2) is of a civilian employee of the Department
16 of Defense who is paid from amounts in a Working
17 Capital Fund Account pursuant to section 2208 of
18 title 10, United States Code.

19 SEC. 10017. None of the funds made available by this
20 Act may be used to appoint chaplains for the military de-
21 partments in contravention of Department of Defense In-
22 struction 1304.28, dated June 11, 2004, incorporating
23 change 2, dated January 19, 2012, as in effect on July
24 1, 2013, regarding the appointment of chaplains for the
25 military departments.

1 SEC. 10018. None of the funds made available by this
2 Act for the “Afghanistan Infrastructure Fund” may be
3 used to plan, develop, or construct any project for which
4 construction has not commenced before the date of the
5 enactment of this Act.

6 SEC. 10019. None of the funds made available by this
7 Act may be used to enforce section 526 of the Energy
8 Independence and Security Act of 2007 (Public Law 110–
9 140; 42 U.S.C. 17142).

10 SEC. 10020. None of the funds made available by this
11 Act may be obligated or expended to train the Afghan Na-
12 tional Security Forces Special Mission Wing to operate or
13 maintain Mi–17 helicopters.

14 SEC. 10021. None of the funds made available by this
15 Act may be used to give covered graduates (as described
16 in section 532(a)(2) of the National Defense Authoriza-
17 tion Act for Fiscal Year 2012 (10 U.S.C. 503 note)) a
18 lower enlistment priority than traditional high school di-
19 ploma graduates as described in the second paragraph of
20 the memo with the subject line “Education Credential—
21 Definition and Tier Placement”, dated June 6, 2012.

22 SEC. 10022. None of the funds made available by this
23 Act may be used to conduct an environmental impact
24 study in accordance with the National Environmental Pol-
25 icy Act of 1969 (42 U.S.C. et seq.) of intercontinental bal-

1 listic missiles or the facilities in which, as of the date of
2 the enactment of this Act, such missiles are located.

3 SEC. 10023. None of the funds made available by this
4 Act may be used for a furlough (as defined in section
5 7511(a)(5) of title 5, United States Code) of any civilian
6 employee of the Department of Defense.

7 SEC. 10024. None of the funds made available by this
8 Act may be used to pay the salary of individuals appointed
9 to their current position through, or to otherwise carry
10 out, paragraphs (1), (2), and (3) of section 5503(a) of
11 title 5, United States Code.

12 SEC. 10025. None of the funds made available by this
13 Act may be used to plan for or carry out a furlough of
14 a dual status military technician (as defined in section
15 10216 of title 10, United States Code).

16 SEC. 10026. None of the funds made available by this
17 Act may be used to carry out reductions to the nuclear
18 forces of the United States to implement the New START
19 Treaty (as defined in section 495(e) of title 10, United
20 States Code).

21 SEC. 10027. None of the funds made available by this
22 Act may be used to reduce the strategic delivery systems
23 (as defined in section 495(e)(2) of title 10, United States
24 Code) of the United States in contravention of section

1 303(b) of the Arms Control and Disarmament Act (22
2 U.S.C. 2573(b)).

3 SEC. 10028. None of the funds made available by this
4 Act may be used to implement an enrollment fee for the
5 TRICARE for Life program under chapter 55 of title 10,
6 United States Code.

7 SEC. 10029. None of the funds made available in this
8 Act may be used to pay any fine assessed against a mili-
9 tary installation by the California Air Resources Board.

10 SEC. 10030. The total amount of appropriations
11 made available by title IX (not including amounts made
12 available under the heading “Overseas Deployments and
13 Other Activities—Procurement—National Guard and Re-
14 serve Equipment”) is hereby reduced by \$3,546,000,000.

15 SEC. 10031. None of the funds made available by this
16 Act may be used to transfer or release to the Republic
17 of Yemen (or any entity within Yemen) a detainee who
18 is or was held, detained, or otherwise in the custody of
19 the Department of Defense on or after June 24, 2009,
20 at the United States Naval Station, Guantanamo Bay,
21 Cuba.

22 SEC. 10032. (a) None of the funds made available
23 by this Act may be used to retire, divest, transfer, or pre-
24 pare to divest, retire, or transfer, C-23 aircraft assigned
25 to the Army.

1 (b) The amounts otherwise provided by this Act are
2 revised by reducing and increasing the amount made avail-
3 able for “Operation and Maintenance—Operation and
4 Maintenance, Army” by \$34,000,000.

5 SEC. 10033. None of the funds made available in this
6 Act may be used by the Department of Defense—

7 (1) to implement or execute any agreement with
8 the Russian Federation pertaining to missile defense
9 other than a treaty; or

10 (2) to provide the Government of the Russian
11 Federation with any information about the ballistic
12 missile defense systems of the United States that is
13 classified or unclassified by the Department or com-
14 ponent thereof.

15 SEC. 10034. None of the funds made available by this
16 Act may be used with respect to Syria in contravention
17 of the War Powers Resolution (50 U.S.C. 1541 et seq.),
18 including for the introduction of United States forces into
19 hostilities in Syria, into situations in Syria where immi-
20 nent involvement in hostilities is clearly indicated by the
21 circumstances, or into Syrian territory, airspace, or waters
22 while equipped for combat, in contravention of the Con-
23 gressional consultation and reporting requirements of sec-
24 tions 3 and 4 of that law (50 U.S.C. 1542 and 1543).

1 SEC. 10035. No funds made available by this Act
2 may be used by the Department of Defense to fund mili-
3 tary operations in Egypt, nor may funds made available
4 by this Act be used by the Department of Defense to fund
5 individuals, groups, or organizations engaged in para-
6 military activity (as that term is used in section 401 of
7 title 10, United States Code) in Egypt.

8 SEC. 10036. None of the funds made available by this
9 Act may be used to issue to a civilian employee of the
10 Department of Defense a denial of a security clearance
11 pursuant to Department of Defense Directive 5220.6 that
12 lists in the notice of specific reasons of the clearance deci-
13 sion (as defined in section 3.2 of such Directive) financial
14 hardships because of a “furlough caused by sequestra-
15 tion”.

16 SEC. 10037. None of funds made available by this
17 Act may be used by the National Security Agency to—

18 (1) conduct an acquisition pursuant to section
19 702 of the Foreign Intelligence Surveillance Act of
20 1978 for the purpose of targeting a United States
21 person; or

22 (2) acquire, monitor, or store the contents (as
23 such term is defined in section 2510(8) of title 18,
24 United States Code) of any electronic communica-
25 tion of a United States person from a provider of

1 electronic communication services to the public pur-
2 suant to section 501 of the Foreign Intelligence Sur-
3 veillance Act of 1978.

4 This Act may be cited as the “Department of Defense
5 Appropriations Act, 2014”.

Passed the House of Representatives July 24, 2013.

Attest:

Clerk.

113TH CONGRESS
1ST SESSION

H. R. 2397

AN ACT

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes.