

1 or (2) used to manufacture ammunition pursuant to a con-
2 tract with the Department of Defense or the manufacture
3 of ammunition for export pursuant to a License for Per-
4 manent Export of Unclassified Military Articles issued by
5 the Department of State.

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

17 SEC. 8064. None of the funds appropriated by this
18 Act shall be used for the support of any nonappropriated
19 funds activity of the Department of Defense that procures
20 malt beverages and wine with nonappropriated funds for
21 resale (including such alcoholic beverages sold by the
22 drink) on a military installation located in the United
23 States unless such malt beverages and wine are procured
24 within that State, or in the case of the District of Colum-
25 bia, within the District of Columbia, in which the military

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

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8065. Of the amounts appropriated in this Act
14 under the heading “Operation and Maintenance, Army”,
15 \$76,611,750 shall remain available until expended: *Pro-*
16 *vided*, That, notwithstanding any other provision of law,
17 the Secretary of Defense is authorized to transfer such
18 funds to other activities of the Federal Government: *Pro-*
19 *vided further*, That the Secretary of Defense is authorized
20 to enter into and carry out contracts for the acquisition
21 of real property, construction, personal services, and oper-
22 ations related to projects carrying out the purposes of this
23 section: *Provided further*, That contracts entered into
24 under the authority of this section may provide for such
25 indemnification as the Secretary determines to be nec-

1 essary: *Provided further*, That projects authorized by this
2 section shall comply with applicable Federal, State, and
3 local law to the maximum extent consistent with the na-
4 tional security, as determined by the Secretary of Defense.

5 SEC. 8066. (a) None of the funds appropriated in this
6 or any other Act may be used to take any action to mod-
7 ify—

8 (1) the appropriations account structure for the
9 National Intelligence Program budget, including
10 through the creation of a new appropriation or new
11 appropriation account;

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

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

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

22 (b) Nothing in section (a) shall be construed to pro-
23 hibit the merger of programs or changes to the National
24 Intelligence Program budget at or below the Expenditure

1 Center level, provided such change is otherwise in accord-
2 ance with paragraphs (a)(1)–(3).

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

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

14 (1) provide the proposed alternatives to all af-
15 fected agencies;

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

20 (3) not later than 30 days after receiving all
21 necessary certifications under paragraph (2), present
22 the proposed alternatives and certifications to the
23 congressional defense and intelligence committees.

24 SEC. 8067. Of the amount appropriated by title VI
25 under the heading “DEFENSE HEALTH PROGRAM”,

1 \$10,000,000 shall be available for peer-reviewed medical
2 research on amyotrophic lateral sclerosis (ALS).

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8068. Of the amounts appropriated in this Act
5 under the headings “Procurement, Defense-Wide” and
6 “Research, Development, Test and Evaluation, Defense-
7 Wide”, \$473,995,000 shall be for the Israeli Cooperative
8 Programs: *Provided*, That of this amount, \$41,400,000
9 shall be for the Secretary of Defense to provide to the Gov-
10 ernment of Israel for the procurement of the Iron Dome
11 defense system to counter short-range rocket threats, sub-
12 ject to the U.S.-Israel Iron Dome Procurement Agree-
13 ment, as amended; \$286,526,000 shall be for the Short
14 Range Ballistic Missile Defense (SRBMD) program, in-
15 cluding cruise missile defense research and development
16 under the SRBMD program, of which \$150,000,000 shall
17 be for production activities of SRBMD missiles in the
18 United States and in Israel to meet Israel’s defense re-
19 quirements consistent with each nation’s laws, regulations,
20 and procedures, of which not more than \$90,000,000, sub-
21 ject to previously established transfer procedures, may be
22 obligated or expended until establishment of a U.S.-Israeli
23 production agreement for SRBMD; \$89,550,000 shall be
24 for an upper-tier component to the Israeli Missile Defense
25 Architecture, of which not more than \$15,000,000, subject

1 to previously established transfer procedures, may be obli-
2 gated or expended until establishment of a U.S.-Israeli
3 production agreement; and \$56,519,000 shall be for the
4 Arrow System Improvement Program including develop-
5 ment of a long range, ground and airborne, detection
6 suite: *Provided further*, That funds made available under
7 this provision for production of missiles and missile com-
8 ponents may be transferred to appropriations available for
9 the procurement of weapons and equipment, to be merged
10 with and to be available for the same time period and the
11 same purposes as the appropriation to which transferred:
12 *Provided further*, That the transfer authority provided
13 under this provision is in addition to any other transfer
14 authority contained in this Act.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8069. Of the amounts appropriated in this Act
17 under the heading “Shipbuilding and Conversion, Navy”,
18 \$389,305,000 shall be available until September 30, 2016,
19 to fund prior year shipbuilding cost increases: *Provided*,
20 That upon enactment of this Act, the Secretary of the
21 Navy shall transfer funds to the following appropriations
22 in the amounts specified: *Provided further*, That the
23 amounts transferred shall be merged with and be available
24 for the same purposes as the appropriations to which
25 transferred to:

1 (1) Under the heading “Shipbuilding and Con-
2 version, Navy”, 2008/2016: Carrier Replacement
3 Program \$123,760,000;

4 (2) Under the heading “Shipbuilding and Con-
5 version, Navy”, 2009/2016: LPD-17 Amphibious
6 Transport Dock Program \$22,860,000;

7 (3) Under the heading “Shipbuilding and Con-
8 version, Navy”, 2012/2016: CVN Refueling Over-
9 hauls Program \$20,029,000;

10 (4) Under the heading “Shipbuilding and Con-
11 version, Navy”, 2012/2016: DDG-51 Destroyer
12 \$75,014,000;

13 (5) Under the heading “Shipbuilding and Con-
14 version, Navy”, 2012/2016: Littoral Combat Ship
15 \$82,674,000;

16 (6) Under the heading “Shipbuilding and Con-
17 version, Navy”, 2012/2016: LPD-17 Amphibious
18 Transport Dock Program \$38,733,000;

19 (7) Under the heading “Shipbuilding and Con-
20 version, Navy”, 2012/2016: Joint High Speed Vessel
21 \$22,597,000; and

22 (8) Under the heading “Shipbuilding and Con-
23 version, Navy”, 2013/2016: Joint High Speed Vessel
24 \$3,638,000.

1 SEC. 8070. Funds appropriated by this Act, or made
2 available by the transfer of funds in this Act, for intel-
3 ligence activities are deemed to be specifically authorized
4 by the Congress for purposes of section 504 of the Na-
5 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
6 year 2016 until the enactment of the Intelligence Author-
7 ization Act for Fiscal Year 2016.

8 SEC. 8071. None of the funds provided in this Act
9 shall be available for obligation or expenditure through a
10 reprogramming of funds that creates or initiates a new
11 program, project, or activity unless such program, project,
12 or activity must be undertaken immediately in the interest
13 of national security and only after written prior notifica-
14 tion to the congressional defense committees.

15 SEC. 8072. The budget of the President for fiscal
16 year 2017 submitted to the Congress pursuant to section
17 1105 of title 31, United States Code, shall include sepa-
18 rate budget justification documents for costs of United
19 States Armed Forces' participation in contingency oper-
20 ations for the Military Personnel accounts, the Operation
21 and Maintenance accounts, the Procurement accounts,
22 and the Research, Development, Test and Evaluation ac-
23 counts: *Provided*, That these documents shall include a de-
24 scription of the funding requested for each contingency op-
25 eration, for each military service, to include all Active and

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

14 SEC. 8073. None of the funds in this Act may be
15 used for research, development, test, evaluation, procure-
16 ment or deployment of nuclear armed interceptors of a
17 missile defense system.

18 SEC. 8074. Notwithstanding any other provision of
19 this Act, to reflect savings due to favorable foreign ex-
20 change rates, the total amount appropriated in this Act
21 is hereby reduced by \$1,040,800,000.

22 SEC. 8075. None of the funds appropriated or made
23 available in this Act shall be used to reduce or disestablish
24 the operation of the 53rd Weather Reconnaissance Squad-
25 ron of the Air Force Reserve, if such action would reduce

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

6 SEC. 8076. None of the funds provided in this Act
7 shall be available for integration of foreign intelligence in-
8 formation unless the information has been lawfully col-
9 lected and processed during the conduct of authorized for-
10 eign intelligence activities: *Provided*, That information
11 pertaining to United States persons shall only be handled
12 in accordance with protections provided in the Fourth
13 Amendment of the United States Constitution as imple-
14 mented through Executive Order No. 12333.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8077. The Secretary of Defense may transfer
17 funds from any available Department of the Navy appro-
18 priation to any available Navy ship construction appro-
19 priation for the purpose of liquidating necessary changes
20 resulting from inflation, market fluctuations, or rate ad-
21 justments for any ship construction program appropriated
22 in law: *Provided*, That the Secretary may transfer not to
23 exceed \$50,000,000 under the authority provided by this
24 section: *Provided further*, That the Secretary may not
25 transfer any funds until 30 days after the proposed trans-

1 fer has been reported to the Committees on Appropria-
2 tions of the House of Representatives and the Senate, un-
3 less a response from the Committees is received sooner:
4 *Provided further*, That any funds transferred pursuant to
5 this section shall retain the same period of availability as
6 when originally appropriated: *Provided further*, That the
7 transfer authority provided by this section is in addition
8 to any other transfer authority contained elsewhere in this
9 Act.

10 SEC. 8078. (a) None of the funds appropriated by
11 this Act may be used to transfer research and develop-
12 ment, acquisition, or other program authority relating to
13 current tactical unmanned aerial vehicles (TUAVs) from
14 the Army.

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

20 SEC. 8079. Up to \$15,000,000 of the funds appro-
21 priated under the heading “Operation and Maintenance,
22 Navy” may be made available for the Asia Pacific Re-
23 gional Initiative Program for the purpose of enabling the
24 Pacific Command to execute Theater Security Cooperation
25 activities such as humanitarian assistance, and payment

1 of incremental and personnel costs of training and exer-
2 cising with foreign security forces: *Provided*, That funds
3 made available for this purpose may be used, notwith-
4 standing any other funding authorities for humanitarian
5 assistance, security assistance or combined exercise ex-
6 penses: *Provided further*, That funds may not be obligated
7 to provide assistance to any foreign country that is other-
8 wise prohibited from receiving such type of assistance
9 under any other provision of law.

10 SEC. 8080. None of the funds appropriated by this
11 Act for programs of the Office of the Director of National
12 Intelligence shall remain available for obligation beyond
13 the current fiscal year, except for funds appropriated for
14 research and technology, which shall remain available until
15 September 30, 2017.

16 SEC. 8081. For purposes of section 1553(b) of title
17 31, United States Code, any subdivision of appropriations
18 made in this Act under the heading “Shipbuilding and
19 Conversion, Navy” shall be considered to be for the same
20 purpose as any subdivision under the heading “Ship-
21 building and Conversion, Navy” appropriations in any
22 prior fiscal year, and the 1 percent limitation shall apply
23 to the total amount of the appropriation.

24 SEC. 8082. (a) Not later than 60 days after the date
25 of enactment of this Act, the Director of National Intel-

1 ligence shall submit a report to the congressional intel-
2 ligence committees to establish the baseline for application
3 of reprogramming and transfer authorities for fiscal year
4 2016: *Provided*, That the report shall include—

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

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

12 (3) an identification of items of special cong-
13 ressional interest.

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

22 SEC. 8083. None of the funds made available by this
23 Act may be used to retire, divest, realign or transfer RQ-
24 4B Global Hawk aircraft, or to disestablish or convert
25 units associated with such aircraft.

1 SEC. 8084. During the current fiscal year and here-
2 after, none of the funds made available by this Act for
3 excess defense articles, assistance under title 10, U.S.C.
4 2282, or peacekeeping operations for the countries des-
5 ignated annually in the Department of State's Trafficking
6 in Persons Report to be in violation of the standards of
7 the Child Soldiers Prevention Act of 2008 may be used
8 to support any military training or operation that includes
9 child soldiers, as defined by the Child Soldiers Prevention
10 Act of 2008 (Public Law 110-457; 22 U.S.C. 2370e-1),
11 unless such assistance is otherwise permitted under sec-
12 tion 404 of the Child Soldiers Prevention Act of 2008.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 8085. Of the funds appropriated in the Intel-
15 ligence Community Management Account for the Program
16 Manager for the Information Sharing Environment,
17 \$20,000,000 is available for transfer by the Director of
18 National Intelligence to other departments and agencies
19 for purposes of Government-wide information sharing ac-
20 tivities: *Provided*, That funds transferred under this provi-
21 sion are to be merged with and available for the same pur-
22 poses and time period as the appropriation to which trans-
23 ferred: *Provided further*, That the Office of Management
24 and Budget must approve any transfers made under this
25 provision.

1 SEC. 8086. (a) None of the funds provided for the
2 National Intelligence Program in this or any prior appro-
3 priations Act shall be available for obligation or expendi-
4 ture through a reprogramming or transfer of funds in ac-
5 cordance with section 102A(d) of the National Security
6 Act of 1947 (50 U.S.C. 3024(d)) that—

7 (1) creates a new start effort;

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

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

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

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

1 programming of funds; this notification period may be re-
2 duced for urgent national security requirements.

3 SEC. 8087. The Director of National Intelligence
4 shall submit to Congress each year, at or about the time
5 that the President's budget is submitted to Congress that
6 year under section 1105(a) of title 31, United States
7 Code, a future-years intelligence program (including asso-
8 ciated annexes) reflecting the estimated expenditures and
9 proposed appropriations included in that budget. Any such
10 future-years intelligence program shall cover the fiscal
11 year with respect to which the budget is submitted and
12 at least the four succeeding fiscal years.

13 SEC. 8088. For the purposes of this Act, the term
14 "congressional intelligence committees" means the Perma-
15 nent Select Committee on Intelligence of the House of
16 Representatives, the Select Committee on Intelligence of
17 the Senate, the Subcommittee on Defense of the Com-
18 mittee on Appropriations of the House of Representatives,
19 and the Subcommittee on Defense of the Committee on
20 Appropriations of the Senate.

21 SEC. 8089. The Department of Defense shall con-
22 tinue to report incremental contingency operations costs
23 for Operation Inherent Resolve, Operation Freedom's Sen-
24 tinel, and any named successor operations, on a monthly
25 basis and any other operation designated and identified

1 by the Secretary of Defense for the purposes of section
2 127a of title 10, United States Code, on a semi-annual
3 basis in the Cost of War Execution Report as prescribed
4 in the Department of Defense Financial Management
5 Regulation Department of Defense Instruction 7000.14,
6 Volume 12, Chapter 23 “Contingency Operations”, Annex
7 1, dated September 2005.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 8090. During the current fiscal year, not to ex-
10 ceed \$11,000,000 from each of the appropriations made
11 in title II of this Act for “Operation and Maintenance,
12 Army”, “Operation and Maintenance, Navy”, and “Oper-
13 ation and Maintenance, Air Force” may be transferred by
14 the military department concerned to its central fund es-
15 tablished for Fisher Houses and Suites pursuant to sec-
16 tion 2493(d) of title 10, United States Code.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8091. Funds appropriated by this Act for oper-
19 ation and maintenance may be available for the purpose
20 of making remittances and transfer to the Defense Acqui-
21 sition Workforce Development Fund in accordance with
22 section 1705 of title 10, United States Code.

23 SEC. 8092. (a) Any agency receiving funds made
24 available in this Act, shall, subject to subsections (b) and
25 (c), post on the public Web site of that agency any report

1 required to be submitted by the Congress in this or any
2 other Act, upon the determination by the head of the agen-
3 cy that it shall serve the national interest.

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

5 (1) the public posting of the report com-
6 promises national security; or

7 (2) the report contains proprietary information.

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

12 SEC. 8093. (a) None of the funds appropriated or
13 otherwise made available by this Act may be expended for
14 any Federal contract for an amount in excess of
15 \$1,000,000, unless the contractor agrees not to—

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

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

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

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

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

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 8094. From within the funds appropriated for
21 operation and maintenance for the Defense Health Pro-
22 gram in this Act, up to \$121,000,000, shall be available
23 for transfer to the Joint Department of Defense-Depart-
24 ment of Veterans Affairs Medical Facility Demonstration
25 Fund in accordance with the provisions of section 1704

1 of the National Defense Authorization Act for Fiscal Year
2 2010, Public Law 111–84: *Provided*, That, for purposes
3 of section 1704(b), the facility operations funded are oper-
4 ations of the integrated Captain James A. Lovell Federal
5 Health Care Center, consisting of the North Chicago Vet-
6 erans Affairs Medical Center, the Navy Ambulatory Care
7 Center, and supporting facilities designated as a combined
8 Federal medical facility as described by section 706 of
9 Public Law 110–417: *Provided further*, That additional
10 funds may be transferred from funds appropriated for op-
11 eration and maintenance for the Defense Health Program
12 to the Joint Department of Defense-Department of Vet-
13 erans Affairs Medical Facility Demonstration Fund upon
14 written notification by the Secretary of Defense to the
15 Committees on Appropriations of the House of Represent-
16 atives and the Senate.

17 SEC. 8095. None of the funds made available by this
18 Act may be used by the Secretary of Defense to take bene-
19 ficial occupancy of more than 2,500 parking spaces (other
20 than handicap-reserved spaces) to be provided by the
21 BRAC 133 project: *Provided*, That this limitation may be
22 waived in part if: (1) the Secretary of Defense certifies
23 to Congress that levels of service at existing intersections
24 in the vicinity of the project have not experienced failing
25 levels of service as defined by the Transportation Research

1 Board Highway Capacity Manual over a consecutive 90-
2 day period; (2) the Department of Defense and the Vir-
3 ginia Department of Transportation agree on the number
4 of additional parking spaces that may be made available
5 to employees of the facility subject to continued 90-day
6 traffic monitoring; and (3) the Secretary of Defense noti-
7 fies the congressional defense committees in writing at
8 least 14 days prior to exercising this waiver of the number
9 of additional parking spaces to be made available.

10 SEC. 8096. Appropriations available to the Depart-
11 ment of Defense may be used for the purchase of heavy
12 and light armored vehicles for the physical security of per-
13 sonnel or for force protection purposes up to a limit of
14 \$400,000 per vehicle, notwithstanding price or other limi-
15 tations applicable to the purchase of passenger carrying
16 vehicles.

17 SEC. 8097. None of the funds appropriated or other-
18 wise made available by this Act or any other Act may be
19 used by the Department of Defense or a component there-
20 of in contravention of section 1246(c)(2) of the National
21 Defense Authorization Act for Fiscal Year 2014 (Public
22 Law 113–66; 127 Stat. 923), as extended by section 1649
23 of S. 1376, 114th Congress, as reported to the Senate.

24 SEC. 8098. The Secretary of Defense shall report
25 quarterly the numbers of civilian personnel end strength

1 by appropriation account for each and every appropriation
2 account used to finance Federal civilian personnel salaries
3 to the congressional defense committees within 15 days
4 after the end of each fiscal quarter.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 8099. Upon a determination by the Director of
7 National Intelligence that such action is necessary and in
8 the national interest, the Director may, with the approval
9 of the Office of Management and Budget, transfer not to
10 exceed \$2,000,000,000 of the funds made available in this
11 Act for the National Intelligence Program: *Provided*, That
12 such authority to transfer may not be used unless for
13 higher priority items, based on unforeseen intelligence re-
14 quirements, than those for which originally appropriated
15 and in no case where the item for which funds are re-
16 quested has been denied by the Congress: *Provided further*,
17 That a request for multiple reprogrammings of funds
18 using authority provided in this section shall be made
19 prior to June 30, 2016.

20 SEC. 8100. None of the funds appropriated or other-
21 wise made available in this or any other Act may be used
22 except in accordance with the National Defense Authoriza-
23 tion Act for Fiscal Year 2016, to transfer, release, or as-
24 sist in the transfer or release to or within the United

1 States, its territories, or possessions Khalid Sheikh Mo-
2 hammed or any other detainee who—

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

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

8 SEC. 8101. (a) None of the funds appropriated or
9 otherwise made available in this or any other Act may be
10 used to construct, acquire, or modify any facility in the
11 United States, its territories, or possessions to house any
12 individual described in subsection (c) for the purposes of
13 detention or imprisonment in the custody or under the ef-
14 fective control of the Department of Defense except in ac-
15 cordance with the National Defense Authorization Act for
16 Fiscal Year 2016.

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

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

23 (1) is not a citizen of the United States or a
24 member of the Armed Forces of the United States;
25 and

1 (2) is—

2 (A) in the custody or under the effective
3 control of the Department of Defense; or

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

6 SEC. 8102. None of the funds appropriated or other-
7 wise made available in this Act may be used to transfer
8 any individual detained at United States Naval Station
9 Guantánamo Bay, Cuba, to the custody or control of the
10 individual's country of origin, any other foreign country,
11 or any other foreign entity except in accordance with the
12 National Defense Authorization Act for Fiscal Year 2016.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 8103. Of the amounts appropriated for “Oper-
15 ation and Maintenance, Navy”, up to \$1,000,000 shall be
16 available for transfer to the John C. Stennis Center for
17 Public Service Development Trust Fund established under
18 section 116 of the John C. Stennis Center for Public Serv-
19 ice Training and Development Act (2 U.S.C. 1105).

20 SEC. 8104. None of the funds provided in this Act
21 for the T-AO(X) program shall be used to award a new
22 contract that provides for the acquisition of the following
23 components unless those components are manufactured in
24 the United States: Auxiliary equipment (including pumps)
25 for shipboard services; propulsion equipment (including

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

3 SEC. 8105. (a) None of the funds appropriated or
4 otherwise made available by this or any other Act may
5 be used by the Secretary of Defense, or any other official
6 or officer of the Department of Defense, to enter into a
7 contract, memorandum of understanding, or cooperative
8 agreement with, or make a grant to, or provide a loan
9 or loan guarantee to Rosoboronexport or any subsidiary
10 of Rosoboronexport.

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

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

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

1 sian Federation and the Government of Ukraine;
2 and

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

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

16 SEC. 8106. None of the funds made available by this
17 Act may be used to transfer more than 36 AH-64 Apache
18 helicopter aircraft from the Army National Guard to the
19 active Army until 60 days after the National Commission
20 on the Future of the Army releases its recommendations:
21 *Provided*, That this section shall continue in effect through
22 the date of enactment of the National Defense Authoriza-
23 tion Act for Fiscal Year 2016.

24 SEC. 8107. Notwithstanding any other provision of
25 this Act, to reflect savings due to lower than anticipated

1 fuel prices, the total amount appropriated in this Act is
2 hereby reduced by \$827,000,000.

3 SEC. 8108. (a) Of the funds appropriated in this Act
4 for the Department of Defense, amounts may be made
5 available, under such regulations as the Secretary may
6 prescribe, to local military commanders appointed by the
7 Secretary of Defense, or by an officer or employee des-
8 igned by the Secretary, to provide at their discretion ex
9 gratia payments in amounts consistent with subsection (d)
10 of this section for damage, personal injury, or death that
11 is incident to combat operations of the Armed Forces in
12 a foreign country.

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

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

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

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

24 (c) NATURE OF PAYMENTS.—Any payments provided
25 under a program under subsection (a) shall not be consid-

1 ered an admission or acknowledgment of any legal obliga-
2 tion to compensate for any damage, personal injury, or
3 death.

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

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

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

1 (g) REPORT.—The Secretary of Defense shall report
2 to the congressional defense committees on an annual
3 basis the efficacy of the ex gratia payment program in-
4 cluding the number of types of cases considered, amounts
5 offered, the response from ex gratia payment recipients,
6 and any recommended modifications to the program.

7 SEC. 8109. None of the funds available in this Act
8 to the Department of Defense, other than appropriations
9 made for necessary or routine refurbishments, upgrades
10 or maintenance activities, shall be used to reduce or to
11 prepare to reduce the number of deployed and non-de-
12 ployed strategic delivery vehicles and launchers below the
13 levels set forth in the report submitted to Congress in ac-
14 cordance with section 1042 of the National Defense Au-
15 thorization Act for Fiscal Year 2012.

16 SEC. 8110. Of the funds provided for “Research, De-
17 velopment, Test and Evaluation, Defense-Wide” in this
18 Act, not less than \$2,800,000 shall be used to support
19 the Department’s activities related to the implementation
20 of the Digital Accountability and Transparency Act
21 (DATA Act; Public Law 113–101; 31 U.S.C. 6101 note)
22 and to support the implementation of a uniform procure-
23 ment instrument identifier as described in 48 CFR sub-
24 part 4.16, to include changes in business processes, work-
25 force, or information technology.

1 SEC. 8111. None of the funds made available in this
2 or any other Act may be used to pay the salary of any
3 officer or employee of the Department of Defense who ap-
4 proves or implements the transfer of administrative re-
5 sponsibilities or budgetary resources of any program,
6 project, or activity financed by this Act to the jurisdiction
7 of another Federal agency not financed by this Act with-
8 out the express authorization of Congress: *Provided*, That
9 this limitation shall not apply to transfers of funds ex-
10 pressly provided for in Defense Appropriations Acts, or
11 provisions of Acts providing supplemental appropriations
12 for the Department of Defense.

1

TITLE IX

2

OVERSEAS CONTINGENCY OPERATIONS

3

MILITARY PERSONNEL

4

MILITARY PERSONNEL, ARMY

5

For an additional amount for “Military Personnel,
Army”, \$1,828,441,000: *Provided*, That such amount is
designated by the Congress for Overseas Contingency Op-
erations/Global War on Terrorism pursuant to section
251(b)(2)(A)(ii) of the Balanced Budget and Emergency
Deficit Control Act of 1985.

11

MILITARY PERSONNEL, NAVY

12

For an additional amount for “Military Personnel,
Navy”, \$251,011,000: *Provided*, That such amount is des-
ignated by the Congress for Overseas Contingency Oper-
ations/Global War on Terrorism pursuant to section
251(b)(2)(A)(ii) of the Balanced Budget and Emergency
Deficit Control Act of 1985.

18

MILITARY PERSONNEL, MARINE CORPS

19

For an additional amount for “Military Personnel,
Marine Corps”, \$171,079,000: *Provided*, That such
amount is designated by the Congress for Overseas Con-
tingency Operations/Global War on Terrorism pursuant to
section 251(b)(2)(A)(ii) of the Balanced Budget and
Emergency Deficit Control Act of 1985.

1 MILITARY PERSONNEL, AIR FORCE

2 For an additional amount for “Military Personnel,
3 Air Force”, \$726,126,000: *Provided*, That such amount
4 is designated by the Congress for Overseas Contingency
5 Operations/Global War on Terrorism pursuant to section
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985.

8 RESERVE PERSONNEL, ARMY

9 For an additional amount for “Reserve Personnel,
10 Army”, \$24,462,000: *Provided*, That such amount is des-
11 ignated by the Congress for Overseas Contingency Oper-
12 ations/Global War on Terrorism pursuant to section
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 RESERVE PERSONNEL, NAVY

16 For an additional amount for “Reserve Personnel,
17 Navy”, \$12,693,000: *Provided*, That such amount is des-
18 ignated by the Congress for Overseas Contingency Oper-
19 ations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 RESERVE PERSONNEL, MARINE CORPS

23 For an additional amount for “Reserve Personnel,
24 Marine Corps”, \$3,393,000: *Provided*, That such amount
25 is designated by the Congress for Overseas Contingency

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

4 RESERVE PERSONNEL, AIR FORCE

5 For an additional amount for “Reserve Personnel,
6 Air Force”, \$18,710,000: *Provided*, That such amount is
7 designated by the Congress for Overseas Contingency Op-
8 erations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 NATIONAL GUARD PERSONNEL, ARMY

12 For an additional amount for “National Guard Per-
13 sonnel, Army”, \$166,015,000: *Provided*, That such
14 amount is designated by the Congress for Overseas Con-
15 tingency Operations/Global War on Terrorism pursuant to
16 section 251(b)(2)(A)(ii) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985.

18 NATIONAL GUARD PERSONNEL, AIR FORCE

19 For an additional amount for “National Guard Per-
20 sonnel, Air Force”, \$2,828,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE

2 OPERATION AND MAINTENANCE, ARMY

3 For an additional amount for “Operation and Main-
4 tenance, Army”, \$18,930,336,000: *Provided*, That such
5 amount is designated by the Congress for Overseas Con-
6 tingency Operations/Global War on Terrorism pursuant to
7 section 251(b)(2)(A)(ii) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985.

9 OPERATION AND MAINTENANCE, NAVY

10 For an additional amount for “Operation and Main-
11 tenance, Navy”, \$21,008,396,000: *Provided*, That such
12 amount is designated by the Congress for Overseas Con-
13 tingency Operations/Global War on Terrorism pursuant to
14 section 251(b)(2)(A)(ii) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985.

16 OPERATION AND MAINTENANCE, MARINE CORPS

17 For an additional amount for “Operation and Main-
18 tenance, Marine Corps”, \$1,879,613,000: *Provided*, That
19 such amount is designated by the Congress for Overseas
20 Contingency Operations/Global War on Terrorism pursu-
21 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
22 and Emergency Deficit Control Act of 1985.

23 OPERATION AND MAINTENANCE, AIR FORCE

24 For an additional amount for “Operation and Main-
25 tenance, Air Force”, \$21,161,888,000: *Provided*, That

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

5 OPERATION AND MAINTENANCE, DEFENSE-WIDE

6 For an additional amount for “Operation and Main-
7 tenance, Defense-Wide”, \$6,850,097,000: *Provided*, That
8 of the funds provided under this heading, not to exceed
9 \$1,160,000,000, to remain available until September 30,
10 2017, shall be for payments to reimburse key cooperating
11 nations for logistical, military, and other support, includ-
12 ing access, provided to United States military and stability
13 operations in Afghanistan and to counter the Islamic
14 State of Iraq and the Levant: *Provided further*, That such
15 reimbursement payments may be made in such amounts
16 as the Secretary of Defense, with the concurrence of the
17 Secretary of State, and in consultation with the Director
18 of the Office of Management and Budget, may determine,
19 based on documentation determined by the Secretary of
20 Defense to adequately account for the support provided,
21 and such determination is final and conclusive upon the
22 accounting officers of the United States, and 15 days fol-
23 lowing notification to the appropriate congressional com-
24 mittees: *Provided further*, That these funds may be used
25 for the purpose of providing specialized training and pro-

1 curing supplies and specialized equipment and providing
2 such supplies and loaning such equipment on a non-reim-
3 bursable basis to coalition forces supporting United States
4 military and stability operations in Afghanistan and to
5 counter the Islamic State of Iraq and the Levant, and 15
6 days following notification to the appropriate congres-
7 sional committees: *Provided further*, That these funds may
8 be used to support the Governments of Jordan and Leb-
9 anon, in such amounts as the Secretary of Defense may
10 determine, to enhance the ability of the armed forces of
11 Jordan to increase or sustain security along the borders
12 with Syria and Iraq and the ability of the armed forces
13 of Lebanon to increase or sustain security along the bor-
14 der with Syria, upon 15 days prior written notification to
15 the congressional defense committees outlining the
16 amounts intended to be provided and the nature of the
17 expenses incurred: *Provided further*, That the Secretary of
18 Defense shall provide quarterly reports to the congres-
19 sional defense committees on the use of funds provided
20 in this paragraph: *Provided further*, That such amount is
21 designated by the Congress for Overseas Contingency Op-
22 erations/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 OPERATION AND MAINTENANCE, ARMY RESERVE

2 For an additional amount for “Operation and Main-
3 tenance, Army Reserve”, \$24,559,000: *Provided*, That
4 such amount is designated by the Congress for Overseas
5 Contingency Operations/Global War on Terrorism pursu-
6 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
7 and Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE, NAVY RESERVE

9 For an additional amount for “Operation and Main-
10 tenance, Navy Reserve”, \$31,643,000: *Provided*, That
11 such amount is designated by the Congress for Overseas
12 Contingency Operations/Global War on Terrorism pursu-
13 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
14 and Emergency Deficit Control Act of 1985.

15 OPERATION AND MAINTENANCE, MARINE CORPS

16 RESERVE

17 For an additional amount for “Operation and Main-
18 tenance, Marine Corps Reserve”, \$3,455,000: *Provided*,
19 That such amount is designated by the Congress for Over-
20 seas Contingency Operations/Global War on Terrorism
21 pursuant to section 251(b)(2)(A)(ii) of the Balanced
22 Budget and Emergency Deficit Control Act of 1985.

23 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

24 For an additional amount for “Operation and Main-
25 tenance, Air Force Reserve”, \$58,106,000: *Provided*, That

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

5 OPERATION AND MAINTENANCE, ARMY NATIONAL
6 GUARD

7 For an additional amount for “Operation and Main-
8 tenance, Army National Guard”, \$60,845,000: *Provided*,
9 That such amount is designated by the Congress for Over-
10 seas Contingency Operations/Global War on Terrorism
11 pursuant to section 251(b)(2)(A)(ii) of the Balanced
12 Budget and Emergency Deficit Control Act of 1985.

13 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

14 For an additional amount for “Operation and Main-
15 tenance, Air National Guard”, \$19,900,000: *Provided*,
16 That such amount is designated by the Congress for Over-
17 seas Contingency Operations/Global War on Terrorism
18 pursuant to section 251(b)(2)(A)(ii) of the Balanced
19 Budget and Emergency Deficit Control Act of 1985.

20 AFGHANISTAN SECURITY FORCES FUND

21 For the “Afghanistan Security Forces Fund”,
22 \$3,360,357,000, to remain available until September 30,
23 2017: *Provided*, That such funds shall be available to the
24 Secretary of Defense, notwithstanding any other provision
25 of law, for the purpose of allowing the Commander, Com-

1 bined Security Transition Command—Afghanistan, or the
2 Secretary's designee, to provide assistance, with the con-
3 currence of the Secretary of State, to the security forces
4 of Afghanistan, including the provision of equipment, sup-
5 plies, services, training, facility and infrastructure repair,
6 renovation, construction, and funding: *Provided further*,
7 That the authority to provide assistance under this head-
8 ing is in addition to any other authority to provide assist-
9 ance to foreign nations: *Provided further*, That contribu-
10 tions of funds for the purposes provided herein from any
11 person, foreign government, or international organization
12 may be credited to this Fund, to remain available until
13 expended, and used for such purposes: *Provided further*,
14 That the Secretary of Defense shall notify the congres-
15 sional defense committees in writing upon the receipt and
16 upon the obligation of any contribution, delineating the
17 sources and amounts of the funds received and the specific
18 use of such contributions: *Provided further*, That the Sec-
19 retary of Defense shall, not fewer than 15 days prior to
20 obligating from this appropriation account, notify the con-
21 gressional defense committees in writing of the details of
22 any such obligation: *Provided further*, That the Secretary
23 of Defense shall notify the congressional defense commit-
24 tees of any proposed new projects or transfer of funds be-
25 tween budget sub-activity groups in excess of

1 \$20,000,000: *Provided further*, That the United States
2 may accept equipment procured using funds provided
3 under this heading in this or prior Acts that was trans-
4 ferred to the security forces of Afghanistan and returned
5 by such forces to the United States: *Provided further*, That
6 equipment procured using funds provided under this head-
7 ing in this or prior Acts, and not yet transferred to the
8 security forces of Afghanistan or transferred to the secu-
9 rity forces of Afghanistan and returned by such forces to
10 the United States, may be treated as stocks of the Depart-
11 ment of Defense upon written notification to the congres-
12 sional defense committees: *Provided further*, That, of the
13 funds provided under this heading, not less than
14 \$25,000,000 shall be for recruitment and retention of
15 women in the Afghanistan National Security Forces: *Pro-*
16 *vided further*, That such amount is designated by the Con-
17 gress for Overseas Contingency Operations/Global War on
18 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
19 anced Budget and Emergency Deficit Control Act of 1985.

20 IRAQ TRAIN AND EQUIP FUND

21 For the “Iraq Train and Equip Fund”,
22 \$715,000,000, to remain available until September 30,
23 2017: *Provided*, That such funds shall be available to the
24 Secretary of Defense, in coordination with the Secretary
25 of State, to provide assistance, including training, equip-

1 ment, logistics support, supplies, services, stipends, infra-
2 structure repair, renovation, and sustainment, to military
3 and other security forces of or associated with the Govern-
4 ment of Iraq, including Kurdish and tribal security forces
5 or other local security forces, with a national security mis-
6 sion, to counter the Islamic State of Iraq and the Levant:
7 *Provided further*, That the Secretary of Defense shall en-
8 sure that prior to providing assistance to elements of any
9 forces such elements are appropriately vetted, including at
10 a minimum, assessing such elements for associations with
11 terrorist groups or groups associated with the Government
12 of Iran; and receiving commitments from such elements
13 to promote respect for human rights and the rule of law:
14 *Provided further*, That the Secretary of Defense may ac-
15 cept and retain contributions, including assistance in-kind,
16 from foreign governments, including the Government of
17 Iraq, and other entities, to carry out assistance authorized
18 under this heading: *Provided further*, That contributions
19 of funds for the purposes provided herein from any foreign
20 government or other entities, may be credited to this
21 Fund, to remain available until expended, and used for
22 such purposes: *Provided further*, That not more than 25
23 percent of the funds appropriated under this heading may
24 be obligated or expended until not fewer than 15 days
25 after (1) the Secretary of Defense submits a report to the

1 appropriate congressional committees, describing the plan
2 for the provision of such training and assistance and the
3 forces designated to receive such assistance, and (2) the
4 President submits a report to the appropriate congressional
5 committees on how assistance provided under this
6 heading supports a larger regional strategy: *Provided further,*
7 *That of the amount provided under this heading, not*
8 *more than 60 percent may be obligated or expended until*
9 *not fewer than 15 days after the date on which the Sec-*
10 *retary of Defense certifies to the appropriate congressional*
11 *committees that an amount equal to not less than 40 per-*
12 *cent of the amount provided under this heading has been*
13 *contributed by other countries and entities for the pur-*
14 *poses for which funds are provided under this heading,*
15 *of which at least 50 percent shall have been contributed*
16 *or provided by the Government of Iraq: *Provided further,**
17 *That the limitation in the preceding proviso shall not*
18 *apply if the Secretary of Defense determines, in writing,*
19 *that the national security objectives of the United States*
20 *will be compromised by the application of the limitation*
21 *to such assistance, and notifies the appropriate congressional*
22 *committees not less than 15 days in advance of the*
23 *exemption taking effect, including a justification for the*
24 *Secretary's determination and a description of the assist-*
25 *ance to be exempted from the application of such limita-*

tion: *Provided further*, That the Secretary of Defense may waive a provision of law relating to the acquisition of items and support services or sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780 and 2785) if the Secretary determines such provisions of law would prohibit, restrict, delay or otherwise limit the provision of such assistance and a notice of and justification for such waiver is submitted to the appropriate congressional committees: *Provided further*, That the term “appropriate congressional committees” under this heading means the “congressional defense committees”, the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: *Provided further*, That amounts made available under this heading are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SYRIA TRAIN AND EQUIP FUND

For the “Syria Train and Equip Fund”, \$531,450,000, to remain available until September 30, 2017: *Provided*, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, to provide assistance, including training, equip-

1 ment, supplies, stipends, construction of training and as-
2 sociated facilities, and sustainment, to appropriately vet-
3 ted elements of the Syrian opposition and other appro-
4 priately vetted Syrian groups and individuals for the fol-
5 lowing purposes: defending the Syrian people from attacks
6 by the Islamic State of Iraq and the Levant, and securing
7 territory controlled by the Syrian opposition; protecting
8 the United States, its friends and allies, and the Syrian
9 people from the threats posed by terrorists in Syria; and
10 promoting the conditions for a negotiated settlement to
11 end the conflict in Syria: *Provided further*, That the term
12 “appropriately vetted” shall be construed to mean, at a
13 minimum, assessments of possible recipients for associa-
14 tions with terrorist groups or groups associated with the
15 Governments of Iran or Syria; and for commitment to the
16 rule of law and a peaceful and democratic Syria: *Provided*
17 *further*, That the Secretary may accept and retain con-
18 tributions, including assistance in-kind, from foreign gov-
19 ernments and other entities to carry out activities author-
20 ized under this heading: *Provided further*, That contribu-
21 tions of funds for the purposes provided herein from any
22 foreign government or other entity to carry out activities
23 as authorized by this section shall be credited to this
24 Fund, to remain available until expended, and used for
25 such purposes: *Provided further*, That the Secretary of De-

1 fense shall comply with the reporting requirements in sec-
2 tion 149(d) of the Continuing Appropriations Resolution,
3 2015 (Public Law 113–164): *Provided further*, That the
4 Secretary of Defense may waive a provision of law relating
5 to the acquisition of items and support services or sections
6 40 and 40A of the Arms Export Control Act (22 U.S.C.
7 2780 and 2785) if the Secretary determines such provi-
8 sions of law would prohibit, restrict, delay or otherwise
9 limit the provision of such assistance and a notice of and
10 justification for such waiver is submitted to the appro-
11 priate congressional committees: *Provided further*, That
12 the term “appropriate congressional committees” under
13 this heading means the “congressional defense commit-
14 tees”, the Committees on Appropriations and Foreign Re-
15 lations of the Senate and the Committees on Appropria-
16 tions and Foreign Affairs of the House of Representatives:
17 *Provided further*, That the Secretary may provide assist-
18 ance to third countries for purposes of the provision of
19 assistance authorized under this heading: *Provided fur-*
20 *ther*, That the Secretary of Defense shall notify the con-
21 gressional defense committees 15 days prior to the provi-
22 sion of such assistance: *Provided further*, That such
23 amount is designated by the Congress for Overseas Con-
24 tingency Operations/Global War on Terrorism pursuant to

127

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

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

5 For an additional amount for “Aircraft Procurement,
6 Army”, \$158,087,000, to remain available until Sep-
7 tember 30, 2018: *Provided*, That such amount is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

13 For an additional amount for “Missile Procurement,
14 Army”, \$37,260,000, to remain available until September
15 30, 2018: *Provided*, That such amount is designated by
16 the Congress for Overseas Contingency Operations/Global
17 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
18 the Balanced Budget and Emergency Deficit Control Act
19 of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT

VEHICLES, ARMY

For an additional amount for “Procurement of Weapons and Tracked Combat Vehicles, Army”, \$26,030,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Over-

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

4 PROCUREMENT OF AMMUNITION, ARMY

5 For an additional amount for “Procurement of Am-
6 munition, Army”, \$192,040,000, to remain available until
7 September 30, 2018: *Provided*, That such amount is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 OTHER PROCUREMENT, ARMY

13 For an additional amount for “Other Procurement,
14 Army”, \$1,205,596,000, to remain available until Sep-
15 tember 30, 2018: *Provided*, That such amount is des-
16 ignated by the Congress for Overseas Contingency Oper-
17 ations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 AIRCRAFT PROCUREMENT, NAVY

21 For an additional amount for “Aircraft Procurement,
22 Navy”, \$217,394,000, to remain available until September
23 30, 2018: *Provided*, That such amount is designated by
24 the Congress for Overseas Contingency Operations/Global
25 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 WEAPONS PROCUREMENT, NAVY

4 For an additional amount for “Weapons Procure-
5 ment, Navy”, \$3,344,000, to remain available until Sep-
6 tember 30, 2018: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
12 CORPS

13 For an additional amount for “Procurement of Am-
14 munition, Navy and Marine Corps”, \$136,930,000, to re-
15 main available until September 30, 2018: *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 OTHER PROCUREMENT, NAVY

21 For an additional amount for “Other Procurement,
22 Navy”, \$12,186,000, to remain available until September
23 30, 2018: *Provided*, That such amount is designated by
24 the Congress for Overseas Contingency Operations/Global
25 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 PROCUREMENT, MARINE CORPS

4 For an additional amount for “Procurement, Marine
5 Corps”, \$48,934,000, to remain available until September
6 30, 2018: *Provided*, That such amount is designated by
7 the Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985.

11 AIRCRAFT PROCUREMENT, AIR FORCE

12 For an additional amount for “Aircraft Procurement,
13 Air Force”, \$128,900,000, to remain available until Sep-
14 tember 30, 2018: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 MISSILE PROCUREMENT, AIR FORCE

20 For an additional amount for “Missile Procurement,
21 Air Force”, \$289,142,000, to remain available until Sep-
22 tember 30, 2018: *Provided*, That such amount is des-
23 ignated by the Congress for Overseas Contingency Oper-
24 ations/Global War on Terrorism pursuant to section

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

3 PROCUREMENT OF AMMUNITION, AIR FORCE

4 For an additional amount for “Procurement of Am-
5 munition, Air Force”, \$228,874,000, to remain available
6 until September 30, 2018: *Provided*, That such amount
7 is designated by the Congress for Overseas Contingency
8 Operations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 OTHER PROCUREMENT, AIR FORCE

12 For an additional amount for “Other Procurement,
13 Air Force”, \$3,829,964,000, to remain available until
14 September 30, 2018: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 PROCUREMENT, DEFENSE-WIDE

20 For an additional amount for “Procurement, De-
21 fense-Wide”, \$173,918,000, to remain available until Sep-
22 tember 30, 2018: *Provided*, That such amount is des-
23 ignated by the Congress for Overseas Contingency Oper-
24 ations/Global War on Terrorism pursuant to section

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

3 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

4 For procurement of aircraft, missiles, tracked combat
5 vehicles, ammunition, other weapons and other procure-
6 ment for the reserve components of the Armed Forces,
7 \$1,000,000,000, to remain available for obligation until
8 September 30, 2018: *Provided*, That the Chiefs of Na-
9 tional Guard and Reserve components shall, not later than
10 30 days after enactment of this Act, individually submit
11 to the congressional defense committees the modernization
12 priority assessment for their respective National Guard or
13 Reserve component: *Provided further*, That such amount
14 is designated by the Congress for Overseas Contingency
15 Operations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 RESEARCH, DEVELOPMENT, TEST AND
19 EVALUATION

20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

21 ARMY

22 For an additional amount for “Research, Develop-
23 ment, Test and Evaluation, Army”, \$1,500,000, to remain
24 available until September 30, 2017: *Provided*, That such
25 amount is designated by the Congress for Overseas Con-

1 \$137,087,000, to remain available until September 30,
2 2017: *Provided*, That such amount is designated by the
3 Congress for Overseas Contingency Operations/Global
4 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
5 the Balanced Budget and Emergency Deficit Control Act
6 of 1985.

7 REVOLVING AND MANAGEMENT FUNDS

8 DEFENSE WORKING CAPITAL FUNDS

9 For an additional amount for “Defense Working
10 Capital Funds”, \$88,850,000: *Provided*, That such
11 amount is designated by the Congress for Overseas Con-
12 tingency Operations/Global War on Terrorism pursuant to
13 section 251(b)(2)(A)(ii) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985.

15 OTHER DEPARTMENT OF DEFENSE PROGRAMS

16 DEFENSE HEALTH PROGRAM

17 For an additional amount for “Defense Health Pro-
18 gram”, \$272,704,000, which shall be for operation and
19 maintenance: *Provided*, That such amount is designated
20 by the Congress for Overseas Contingency Operations/
21 Global War on Terrorism pursuant to section
22 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985.

135

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
2 DEFENSE

3 For an additional amount for “Drug Interdiction and
4 Counter-Drug Activities, Defense”, \$186,000,000: *Pro-*
5 *vided*, That such amount is designated by the Congress
6 for Overseas Contingency Operations/Global War on Ter-
7 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985.

9 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND
10 (INCLUDING TRANSFER OF FUNDS)

11 For the “Joint Improvised Explosive Device Defeat
12 Fund”, \$290,000,000, to remain available until Sep-
13 tember 30, 2018: *Provided*, That such funds shall be avail-
14 able to the Secretary of Defense, notwithstanding any
15 other provision of law, for the purpose of allowing the Di-
16 rector of the Joint Improvised Explosive Device Defeat
17 Organization to investigate, develop and provide equip-
18 ment, supplies, services, training, facilities, personnel and
19 funds to assist United States forces in the defeat of impro-
20 vised explosive devices: *Provided further*, That the Sec-
21 retary of Defense may transfer funds provided herein to
22 appropriations for military personnel; operation and main-
23 tenance; procurement; research, development, test and
24 evaluation; and defense working capital funds to accom-
25 plish the purpose provided herein: *Provided further*, That

1 this transfer authority is in addition to any other transfer
2 authority available to the Department of Defense: *Pro-*
3 *vided further*, That the Secretary of Defense shall, not
4 fewer than 15 days prior to making transfers from this
5 appropriation, notify the congressional defense committees
6 in writing of the details of any such transfer: *Provided*
7 *further*, That such amount is designated by the Congress
8 for Overseas Contingency Operations/Global War on Ter-
9 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985.

11 OFFICE OF THE INSPECTOR GENERAL

12 For an additional amount for the “Office of the In-
13 spector General”, \$10,262,000: *Provided*, That such
14 amount is designated by the Congress for Overseas Con-
15 tingency Operations/Global War on Terrorism pursuant to
16 section 251(b)(2)(A)(ii) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985.

18 GENERAL PROVISIONS—THIS TITLE

19 SEC. 9001. Each amount designated in this Act by
20 the Congress for Overseas Contingency Operations/Global
21 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
22 the Balanced Budget and Emergency Deficit Control Act
23 of 1985 shall be available (or rescinded, if applicable) only
24 if the President subsequently so designates all such
25 amounts and transmits such designations to the Congress.

1 SEC. 9002. Notwithstanding any other provision of
2 law, funds made available in this title are in addition to
3 amounts appropriated or otherwise made available for the
4 Department of Defense for fiscal year 2016.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 9003. Upon the determination of the Secretary
7 of Defense that such action is necessary in the national
8 interest, the Secretary may, with the approval of the Of-
9 fice of Management and Budget, transfer up to
10 \$3,500,000,000 between the appropriations or funds made
11 available to the Department of Defense in this title: *Pro-*
12 *vided*, That the Secretary shall notify the Congress
13 promptly of each transfer made pursuant to the authority
14 in this section: *Provided further*, That the authority pro-
15 vided in this section is in addition to any other transfer
16 authority available to the Department of Defense and is
17 subject to the same terms and conditions as the authority
18 provided in section 8005 of this Act.

19 SEC. 9004. Supervision and administration costs and
20 costs for design during construction associated with a con-
21 struction project funded with appropriations available for
22 operation and maintenance or the “Afghanistan Security
23 Forces Fund” provided in this Act and executed in direct
24 support of overseas contingency operations in Afghani-
25 stan, may be obligated at the time a construction contract

1 is awarded: *Provided*, That, for the purpose of this section,
2 supervision and administration costs and costs for design
3 during construction include all in-house Government costs.

4 SEC. 9005. From funds made available in this title,
5 the Secretary of Defense may purchase for use by military
6 and civilian employees of the Department of Defense in
7 the U.S. Central Command area of responsibility: (a) pas-
8 senger motor vehicles up to a limit of \$75,000 per vehicle;
9 and (b) heavy and light armored vehicles for the physical
10 security of personnel or for force protection purposes up
11 to a limit of \$400,000 per vehicle, notwithstanding price
12 or other limitations applicable to the purchase of pas-
13 senger carrying vehicles.

14 SEC. 9006. Not to exceed \$5,000,000 of the amounts
15 appropriated by this title under the heading “Operation
16 and Maintenance, Army” may be used, notwithstanding
17 any other provision of law, to fund the Commanders’
18 Emergency Response Program (CERP), for the purpose
19 of enabling military commanders in Afghanistan to re-
20 spond to urgent, small-scale, humanitarian relief and re-
21 construction requirements within their areas of responsi-
22 bility: *Provided*, That each project (including any ancillary
23 or related elements in connection with such project) exe-
24 cuted under this authority shall not exceed \$2,000,000:
25 *Provided further*, That not later than 45 days after the

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

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

23 (2) The budget, implementation timeline with
24 milestones, and completion date for the proposed
25 project, including any other CERP funding that has

1 been or is anticipated to be contributed to the com-
2 pletion of the project.

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

10 SEC. 9007. Funds available to the Department of De-
11 fense for operation and maintenance may be used, not-
12 withstanding any other provision of law, to provide sup-
13 plies, services, transportation, including airlift and sealift,
14 and other logistical support to coalition forces supporting
15 military and stability operations in Afghanistan and to
16 counter the Islamic State of Iraq and the Levant: *Pro-*
17 *vided*, That the Secretary of Defense shall provide quar-
18 terly reports to the congressional defense committees re-
19 garding support provided under this section.

20 SEC. 9008. None of the funds appropriated or other-
21 wise made available by this or any other Act shall be obli-
22 gated or expended by the United States Government for
23 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. 9009. 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. 9010. 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 Department of Defense must certify to the congressional
16 defense committees that the AROC has convened and ap-
17 proved a process for ensuring compliance with the require-
18 ments in the preceding proviso and accompanying report
19 language for the ASFF.

20 SEC. 9011. Funds made available in this title to the
21 Department of Defense for operation and maintenance
22 may be used to purchase items having an investment unit
23 cost of not more than \$250,000: *Provided*, That, upon de-
24 termination by the Secretary of Defense that such action
25 is necessary to meet the operational requirements of a

1 Commander of a Combatant Command engaged in contin-
2 gency operations overseas, such funds may be used to pur-
3 chase items having an investment item unit cost of not
4 more than \$500,000.

5 SEC. 9012. From funds made available to the De-
6 partment of Defense in this title under the heading “Oper-
7 ation and Maintenance, Air Force”, up to \$140,000,000
8 may be used by the Secretary of Defense, notwithstanding
9 any other provision of law, to support United States Gov-
10 ernment transition activities in Iraq by funding the oper-
11 ations and activities of the Office of Security Cooperation
12 in Iraq and security assistance teams, including life sup-
13 port, transportation and personal security, and facilities
14 renovation and construction, and site closeout activities
15 prior to returning sites to the Government of Iraq: *Pro-*
16 *vided*, That, to the extent authorized under the National
17 Defense Authorization Act for Fiscal Year 2016, the oper-
18 ations and activities that may be carried out by the Office
19 of Security Cooperation in Iraq may, with the concurrence
20 of the Secretary of State, include non-operational training
21 activities in support of Iraqi Minister of Defense and
22 Counter Terrorism Service personnel in an institutional
23 environment to address capability gaps, integrate proc-
24 esses relating to intelligence, air sovereignty, combined
25 arms, logistics and maintenance, and to manage and inte-

1 grate defense-related institutions: *Provided further*, That
2 not later than 30 days following the enactment of this Act,
3 the Secretary of Defense and the Secretary of State shall
4 submit to the congressional defense committees a plan for
5 transitioning any such training activities that they deter-
6 mine are needed after the end of fiscal year 2016, to exist-
7 ing or new contracts for the sale of defense articles or
8 defense services consistent with the provisions of the Arms
9 Export Control Act (22 U.S.C. 2751 et seq.): *Provided*
10 *further*, That, not less than 15 days before making funds
11 available pursuant to the authority provided in this sec-
12 tion, the Secretary of Defense shall submit to the congres-
13 sional defense committees a written notice containing a
14 detailed justification and timeline for the operations and
15 activities of the Office of Security Cooperation in Iraq at
16 each site where such operations and activities will be con-
17 ducted during fiscal year 2016.

18 SEC. 9013. None of the funds made available by this
19 Act may be used with respect to Syria in contravention
20 of the War Powers Resolution (50 U.S.C. 1541 et seq.),
21 including for the introduction of United States armed or
22 military forces into hostilities in Syria, into situations in
23 Syria where imminent involvement in hostilities is clearly
24 indicated by the circumstances, or into Syrian territory,
25 airspace, or waters while equipped for combat, in con-

1 travention of the congressional consultation and reporting
2 requirements of sections 3 and 4 of that law (50 U.S.C.
3 1542 and 1543).

4 SEC. 9014. For the “Ukraine Security Assistance Ini-
5 tiative” as authorized by section 1251 of S. 1376, the Na-
6 tional Defense Authorization Act for Fiscal Year 2016,
7 as reported, \$300,000,000 is hereby appropriated to pro-
8 vide appropriate security assistance and intelligence sup-
9 port, including training, equipment, and logistics support,
10 supplies and services, to military and other security forces
11 of the Government of Ukraine: *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 SEC. 9015. None of the funds in this Act may be
17 made available for the transfer of additional C-130 cargo
18 aircraft to the Afghanistan National Security Forces or
19 the Afghanistan Air Force until the Department of De-
20 fense provides a report to the congressional defense com-
21 mittees of the Afghanistan Air Force’s medium airlift re-
22 quirements. The report should identify Afghanistan’s abil-
23 ity to utilize and maintain existing medium lift aircraft
24 in the inventory and the best alternative platform, if nec-

1 essary, to provide additional support to the Afghanistan
2 Air Force’s current medium airlift capacity.

3 SEC. 9016. The Secretary of Defense may obligate
4 and expend funds made available to the Department of
5 Defense in this title for additional costs associated with
6 projects funded with amounts provided under the heading
7 “Afghanistan Infrastructure Fund” in prior Acts: *Pro-*
8 *vided*, That such costs shall be limited to contract changes
9 resulting from inflation, market fluctuation, rate adjust-
10 ments, and other necessary contract actions to complete
11 the projects, and associated supervision and administra-
12 tion costs and costs for design during construction: *Pro-*
13 *vided further*, That the Secretary may not use more than
14 \$100,000,000 under the authority provided in this section:
15 *Provided further*, That the Secretary shall highlight such
16 contract changes and adjustments in annual reports to the
17 congressional defense committees.

18 This Act may be cited as the “Department of Defense
19 Appropriations Act, 2016”.

[COMMITTEE PRINT]

Calendar No. 000

114TH CONGRESS
1ST SESSION

S. 0000

[Report No. 114-000]

A BILL

Making appropriations for Department of Defense
for the fiscal year ending September 30, 2016,
and for other purposes.

JUNE 00, 2015

Read twice and placed on the calendar