

Union Calendar No. 81

113TH CONGRESS
1ST SESSION

H. R. 2397

[Report No. 113–113]

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2013

Mr. YOUNG, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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

8 TITLE I

9 MILITARY PERSONNEL

10 MILITARY PERSONNEL, ARMY

11 For pay, allowances, individual clothing, subsistence,
12 interest on deposits, gratuities, permanent change of sta-
13 tion travel (including all expenses thereof for organiza-
14 tional movements), and expenses of temporary duty travel
15 between permanent duty stations, for members of the
16 Army on active duty, (except members of reserve compo-
17 nents provided for elsewhere), cadets, and aviation cadets;
18 for members of the Reserve Officers' Training Corps; and
19 for payments pursuant to section 156 of Public Law 97–
20 377, as amended (42 U.S.C. 402 note), and to the Depart-
21 ment of Defense Military Retirement Fund,
22 \$40,908,919,000.

23 MILITARY PERSONNEL, NAVY

24 For pay, allowances, individual clothing, subsistence,
25 interest on deposits, gratuities, permanent change of sta-

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

10 MILITARY PERSONNEL, MARINE CORPS

11 For pay, allowances, individual clothing, subsistence,
12 interest on deposits, gratuities, permanent change of sta-
13 tion travel (including all expenses thereof for organiza-
14 tional movements), and expenses of temporary duty travel
15 between permanent duty stations, for members of the Ma-
16 rine Corps on active duty (except members of the Reserve
17 provided for elsewhere); and for payments pursuant to sec-
18 tion 156 of Public Law 97-377, as amended (42 U.S.C.
19 402 note), and to the Department of Defense Military Re-
20 tirement Fund, \$12,826,857,000.

21 MILITARY PERSONNEL, AIR FORCE

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 Air
2 Force on active duty (except members of reserve compo-
3 nents provided for elsewhere), cadets, and aviation cadets;
4 for members of the Reserve Officers' Training Corps; and
5 for payments pursuant to section 156 of Public Law 97-
6 377, as amended (42 U.S.C. 402 note), and to the Depart-
7 ment of Defense Military Retirement Fund,
8 \$28,382,963,000.

9 RESERVE PERSONNEL, ARMY

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

22 RESERVE PERSONNEL, NAVY

23 For pay, allowances, clothing, subsistence, gratuities,
24 travel, and related expenses for personnel of the Navy Re-
25 serve on active duty under section 10211 of title 10,

1 United States Code, or while serving on active duty under
2 section 12301(d) of title 10, United States Code, in con-
3 nection with performing duty specified in section 12310(a)
4 of title 10, United States Code, or while undergoing re-
5 serve training, or while performing drills or equivalent
6 duty, and expenses authorized by section 16131 of title
7 10, United States Code; and for payments to the Depart-
8 ment of Defense Military Retirement Fund,
9 \$1,875,536,000.

10 RESERVE PERSONNEL, MARINE CORPS

11 For pay, allowances, clothing, subsistence, gratuities,
12 travel, and related expenses for personnel of the Marine
13 Corps Reserve on active duty under section 10211 of title
14 10, United States Code, or while serving on active duty
15 under section 12301(d) of title 10, United States Code,
16 in connection with performing duty specified in section
17 12310(a) of title 10, United States Code, or while under-
18 going reserve training, or while performing drills or equiv-
19 alent duty, and for members of the Marine Corps platoon
20 leaders class, and expenses authorized by section 16131
21 of title 10, United States Code; and for payments to the
22 Department of Defense Military Retirement Fund,
23 \$665,499,000.

1 RESERVE PERSONNEL, AIR FORCE

2 For pay, allowances, clothing, subsistence, gratuities,
3 travel, and related expenses for personnel of the Air Force
4 Reserve on active duty under sections 10211, 10305, and
5 8038 of title 10, United States Code, or while serving on
6 active duty under section 12301(d) of title 10, United
7 States Code, in connection with performing duty specified
8 in section 12310(a) of title 10, United States Code, or
9 while undergoing reserve training, or while performing
10 drills or equivalent duty or other duty, and expenses au-
11 thorized by section 16131 of title 10, United States Code;
12 and for payments to the Department of Defense Military
13 Retirement Fund, \$1,745,579,000.

14 NATIONAL GUARD PERSONNEL, ARMY

15 For pay, allowances, clothing, subsistence, gratuities,
16 travel, and related expenses for personnel of the Army Na-
17 tional Guard while on duty under section 10211, 10302,
18 or 12402 of title 10 or section 708 of title 32, United
19 States Code, or while serving on duty under section
20 12301(d) of title 10 or section 502(f) of title 32, United
21 States Code, in connection with performing duty specified
22 in section 12310(a) of title 10, United States Code, or
23 while undergoing training, or while performing drills or
24 equivalent duty or other duty, and expenses authorized by
25 section 16131 of title 10, United States Code; and for pay-

1 ments to the Department of Defense Military Retirement
2 Fund, \$7,958,568,000.

3 NATIONAL GUARD PERSONNEL, AIR FORCE

4 For pay, allowances, clothing, subsistence, gratuities,
5 travel, and related expenses for personnel of the Air Na-
6 tional Guard on duty under section 10211, 10305, or
7 12402 of title 10 or section 708 of title 32, United States
8 Code, or while serving on duty under section 12301(d) of
9 title 10 or section 502(f) of title 32, United States Code,
10 in connection with performing duty specified in section
11 12310(a) of title 10, United States Code, or while under-
12 going training, or while performing drills or equivalent
13 duty or other duty, and expenses authorized by section
14 16131 of title 10, United States Code; and for payments
15 to the Department of Defense Military Retirement Fund,
16 \$3,130,361,000.

17 TITLE II

18 OPERATION AND MAINTENANCE

19 OPERATION AND MAINTENANCE, ARMY

20 For expenses, not otherwise provided for, necessary
21 for the operation and maintenance of the Army, as author-
22 ized by law; and not to exceed \$12,478,000 can be used
23 for emergencies and extraordinary expenses, to be ex-
24 pended on the approval or authority of the Secretary of
25 the Army, and payments may be made on his certificate

1 of necessity for confidential military purposes,
2 \$35,183,796,000.

3 OPERATION AND MAINTENANCE, NAVY

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

12 OPERATION AND MAINTENANCE, MARINE CORPS

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

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.

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1 into a legislative affairs or legislative liaison office: *Pro-*
2 *vided further*, That \$8,721,000, to remain available until
3 expended, is available only for expenses relating to certain
4 classified activities, and may be transferred as necessary
5 by the Secretary of Defense to operation and maintenance
6 appropriations or research, development, test and evalua-
7 tion appropriations, to be merged with and to be available
8 for the same time period as the appropriations to which
9 transferred: *Provided further*, That any ceiling on the in-
10 vestment item unit cost of items that may be purchased
11 with operation and maintenance funds shall not apply to
12 the funds described in the preceding proviso: *Provided fur-*
13 *ther*, That the transfer authority provided under this head-
14 ing is in addition to any other transfer authority provided
15 elsewhere in this Act.

16 OPERATION AND MAINTENANCE, ARMY RESERVE

17 For expenses, not otherwise provided for, necessary
18 for the operation and maintenance, including training, or-
19 ganization, and administration, of the Army Reserve; re-
20 pair of facilities and equipment; hire of passenger motor
21 vehicles; travel and transportation; care of the dead; re-
22 cruiting; procurement of services, supplies, and equip-
23 ment; and communications, \$3,199,151,000.

9 OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$266,561,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,149,046,000.

18 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair,

1 modification, maintenance, and issue of supplies and
2 equipment, including those furnished from stocks under
3 the control of agencies of the Department of Defense;
4 travel expenses (other than mileage) on the same basis as
5 authorized by law for Air National Guard personnel on
6 active Federal duty, for Air National Guard commanders
7 while inspecting units in compliance with National Guard
8 Bureau regulations when specifically authorized by the
9 Chief, National Guard Bureau, \$6,675,999,000.

10 UNITED STATES COURT OF APPEALS FOR THE ARMED
11 FORCES

12 For salaries and expenses necessary for the United
13 States Court of Appeals for the Armed Forces,
14 \$13,606,000, of which not to exceed \$5,000 may be used
15 for official representation purposes.

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

18 For the Department of the Army, \$298,815,000, to
19 remain available until transferred: *Provided*, That the Sec-
20 retary of the Army shall, upon determining that such
21 funds are required for environmental restoration, reduc-
22 tion and recycling of hazardous waste, removal of unsafe
23 buildings and debris of the Department of the Army, or
24 for similar purposes, transfer the funds made available by
25 this appropriation to other appropriations made available

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

11 ENVIRONMENTAL RESTORATION, NAVY

12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of the Navy, \$316,103,000, to
14 remain available until transferred: *Provided*, That the Sec-
15 retary of the Navy shall, upon determining that such
16 funds are required for environmental restoration, reduc-
17 tion and recycling of hazardous waste, removal of unsafe
18 buildings and debris of the Department of the Navy, or
19 for similar purposes, transfer the funds made available by
20 this appropriation to other appropriations made available
21 to the Department of the Navy, to be merged with and
22 to be available for the same purposes and for the same
23 time period as the appropriations to which transferred:
24 *Provided further*, That upon a determination that all or
25 part of the funds transferred from this appropriation are

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

6 ENVIRONMENTAL RESTORATION, AIR FORCE
7 (INCLUDING TRANSFER OF FUNDS)

8 For the Department of the Air Force, \$439,820,000,
9 to remain available until transferred: *Provided*, That the
10 Secretary of the Air Force shall, upon determining that
11 such funds are required for environmental restoration, re-
12 duction and recycling of hazardous waste, removal of un-
13 safe buildings and debris of the Department of the Air
14 Force, or for similar purposes, transfer the funds made
15 available by this appropriation to other appropriations
16 made available to the Department of the Air Force, to be
17 merged with and to be available for the same purposes
18 and for the same time period as the appropriations to
19 which transferred: *Provided further*, That upon a deter-
20 mination that all or part of the funds transferred from
21 this appropriation are not necessary for the purposes pro-
22 vided herein, such amounts may be transferred back to
23 this appropriation: *Provided further*, That the transfer au-
24 thority provided under this heading is in addition to any
25 other transfer authority provided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of Defense, \$10,757,000, to re-
4 main available until transferred: *Provided*, That the Sec-
5 retary of Defense shall, upon determining that such funds
6 are required for environmental restoration, reduction and
7 recycling of hazardous waste, removal of unsafe buildings
8 and debris of the Department of Defense, or for similar
9 purposes, transfer the funds made available by this appro-
10 priation to other appropriations made available to the De-
11 partment of Defense, to be merged with and to be avail-
12 able for the same purposes and for the same time period
13 as the appropriations to which transferred: *Provided fur-*
14 *ther*, That upon a determination that all or part of the
15 funds transferred from this appropriation are not nec-
16 essary for the purposes provided herein, such amounts
17 may be transferred back to this appropriation: *Provided*
18 *further*, That the transfer authority provided under this
19 heading is in addition to any other transfer authority pro-
20 vided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, FORMERLY USED

22 DEFENSE SITES

23 (INCLUDING TRANSFER OF FUNDS)

24 For the Department of the Army, \$262,443,000, to
25 remain available until transferred: *Provided*, That the Sec-

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

17 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

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

1 COOPERATIVE THREAT REDUCTION ACCOUNT

2 For assistance to the republics of the former Soviet
3 Union and, with appropriate authorization by the Depart-
4 ment of Defense and Department of State, to countries
5 outside of the former Soviet Union, including assistance
6 provided by contract or by grants, for facilitating the
7 elimination and the safe and secure transportation and
8 storage of nuclear, chemical and other weapons; for estab-
9 lishing programs to prevent the proliferation of weapons,
10 weapons components, and weapon-related technology and
11 expertise; for programs relating to the training and sup-
12 port of defense and military personnel for demilitarization
13 and protection of weapons, weapons components and
14 weapons technology and expertise, and for defense and
15 military contacts, \$528,455,000, to remain available until
16 September 30, 2016.

17 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE

18 DEVELOPMENT FUND

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

21 TITLE III

22 PROCUREMENT

23 AIRCRAFT PROCUREMENT, ARMY

24 For construction, procurement, production, modifica-
25 tion, and modernization of aircraft, equipment, including

1 ordnance, ground handling equipment, spare parts, and
2 accessories therefor; specialized equipment and training
3 devices; expansion of public and private plants, including
4 the land necessary therefor, for the foregoing purposes,
5 and such lands and interests therein, may be acquired,
6 and construction prosecuted thereon prior to approval of
7 title; and procurement and installation of equipment, ap-
8 pliances, and machine tools in public and private plants;
9 reserve plant and Government and contractor-owned
10 equipment layaway; and other expenses necessary for the
11 foregoing purposes, \$5,236,653,000, to remain available
12 for obligation until September 30, 2016.

13 MISSILE PROCUREMENT, ARMY

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

1 foregoing purposes, \$1,628,083,000, to remain available
2 for obligation until September 30, 2016.

3 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
4 VEHICLES, ARMY

5 For construction, procurement, production, and
6 modification of weapons and tracked combat vehicles,
7 equipment, including ordnance, spare parts, and acces-
8 sories therefor; specialized equipment and training devices;
9 expansion of public and private plants, including the land
10 necessary therefor, for the foregoing purposes, and such
11 lands and interests therein, may be acquired, and con-
12 struction prosecuted thereon prior to approval of title; and
13 procurement and installation of equipment, appliances,
14 and machine tools in public and private plants; reserve
15 plant and Government and contractor-owned equipment
16 layaway; and other expenses necessary for the foregoing
17 purposes, \$1,545,560,000, to remain available for obliga-
18 tion until September 30, 2016.

19 PROCUREMENT OF AMMUNITION, ARMY

20 For construction, procurement, production, and
21 modification of ammunition, and accessories therefor; spe-
22 cialized equipment and training devices; expansion of pub-
23 lic and private plants, including ammunition facilities au-
24 thorized by section 2854 of title 10, United States Code,
25 and the land necessary therefor, for the foregoing pur-

1 poses, and such lands and interests therein, may be ac-
2 quired, and construction prosecuted thereon prior to ap-
3 proval of title; and procurement and installation of equip-
4 ment, appliances, and machine tools in public and private
5 plants; reserve plant and Government and contractor-
6 owned equipment layaway; and other expenses necessary
7 for the foregoing purposes, \$1,465,937,000, to remain
8 available for obligation until September 30, 2016.

9 OTHER PROCUREMENT, ARMY

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

1 \$6,467,751,000, to remain available for obligation until
2 September 30, 2016.

3 AIRCRAFT PROCUREMENT, NAVY

4 For construction, procurement, production, modifica-
5 tion, and modernization of aircraft, equipment, including
6 ordnance, spare parts, and accessories therefor; specialized
7 equipment; expansion of public and private plants, includ-
8 ing the land necessary therefor, and such lands and inter-
9 ests therein, may be acquired, and construction prosecuted
10 thereon prior to approval of title; and procurement and
11 installation of equipment, appliances, and machine tools
12 in public and private plants; reserve plant and Govern-
13 ment and contractor-owned equipment layaway,
14 \$17,092,784,000, to remain available for obligation until
15 September 30, 2016.

16 WEAPONS PROCUREMENT, NAVY

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

6 For construction, procurement, production, and
7 modification of ammunition, and accessories therefor; spe-
8 cialized equipment and training devices; expansion of pub-
9 lic and private plants, including ammunition facilities au-
10 thorized by section 2854 of title 10, United States Code,
11 and the land necessary therefor, for the foregoing pur-
12 poses, and such lands and interests therein, may be ac-
13 quired, and construction prosecuted thereon prior to ap-
14 proval of title; and procurement and installation of equip-
15 ment, appliances, and machine tools in public and private
16 plants; reserve plant and Government and contractor-
17 owned equipment layaway; and other expenses necessary
18 for the foregoing purposes, \$544,116,000, to remain avail-
19 able for obligation until September 30, 2016.

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and con-

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

8 Carrier Replacement Program (AP),
9 \$944,866,000;

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

11 Virginia Class Submarine (AP),
12 \$2,354,612,000;

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

14 CVN Refuelings (AP), \$245,793,000;

15 DDG-1000 Program, \$231,694,000;

16 DDG-51 Destroyer, \$1,615,564,000;

17 DDG-51 Destroyer (AP), \$388,551,000;

18 Littoral Combat Ship, \$1,793,014,000;

19 Afloat Forward Staging Base (AP),
20 \$562,000,000;

21 Joint High Speed Vessel, \$10,332,000;

22 Moored Training Ship, \$207,300,000;

23 LCAC Service Life Extension Program,
24 \$80,987,000;

1 For Outfitting, post delivery, conversions, and
2 first destination transportation, \$450,163,000; and

3 For Completion of Prior Year Shipbuilding Pro-
4 grams, \$625,800,000.

5 In all: \$15,000,704,000, to remain available for obli-
6 gation until September 30, 2018: *Provided*, That addi-
7 tional obligations may be incurred after September 30,
8 2018, for engineering services, tests, evaluations, and
9 other such budgeted work that must be performed in the
10 final stage of ship construction: *Provided further*, That
11 none of the funds provided under this heading for the con-
12 struction or conversion of any naval vessel to be con-
13 structed in shipyards in the United States shall be ex-
14 pended in foreign facilities for the construction of major
15 components of such vessel: *Provided further*, That none
16 of the funds provided under this heading shall be used
17 for the construction of any naval vessel in foreign ship-
18 yards.

19 OTHER PROCUREMENT, NAVY

20 For procurement, production, and modernization of
21 support equipment and materials not otherwise provided
22 for, Navy ordnance (except ordnance for new aircraft, new
23 ships, and ships authorized for conversion); the purchase
24 of passenger motor vehicles for replacement only; expan-
25 sion of public and private plants, including the land nec-

1 essary therefor, and such lands and interests therein, may
2 be acquired, and construction prosecuted thereon prior to
3 approval of title; and procurement and installation of
4 equipment, appliances, and machine tools in public and
5 private plants; reserve plant and Government and con-
6 tractor-owned equipment layaway, \$6,824,824,000, to re-
7 main available for obligation until September 30, 2016.

8 PROCUREMENT, MARINE CORPS

9 For expenses necessary for the procurement, manu-
10 facture, and modification of missiles, armament, military
11 equipment, spare parts, and accessories therefor; plant
12 equipment, appliances, and machine tools, and installation
13 thereof in public and private plants; reserve plant and
14 Government and contractor-owned equipment layaway; ve-
15 hicles for the Marine Corps, including the purchase of pas-
16 senger motor vehicles for replacement only; and expansion
17 of public and private plants, including land necessary
18 therefor, and such lands and interests therein, may be ac-
19 quired, and construction prosecuted thereon prior to ap-
20 proval of title, \$1,271,311,000, to remain available for ob-
21 ligation until September 30, 2016.

22 AIRCRAFT PROCUREMENT, AIR FORCE

23 For construction, procurement, and modification of
24 aircraft and equipment, including armor and armament,
25 specialized ground handling equipment, and training de-

1 vices, spare parts, and accessories therefor; specialized
2 equipment; expansion of public and private plants, Gov-
3 ernment-owned equipment and installation thereof in such
4 plants, erection of structures, and acquisition of land, for
5 the foregoing purposes, and such lands and interests
6 therein, may be acquired, and construction prosecuted
7 thereon prior to approval of title; reserve plant and Gov-
8 ernment and contractor-owned equipment layaway; and
9 other expenses necessary for the foregoing purposes in-
10 cluding rents and transportation of things,
11 \$10,860,606,000, to remain available for obligation until
12 September 30, 2016.

13 MISSILE PROCUREMENT, AIR FORCE

14 For construction, procurement, and modification of
15 missiles, spacecraft, rockets, and related equipment, in-
16 cluding spare parts and accessories therefor, ground han-
17 dling equipment, and training devices; expansion of public
18 and private plants, Government-owned equipment and in-
19 stallation thereof in such plants, erection of structures,
20 and acquisition of land, for the foregoing purposes, and
21 such lands and interests therein, may be acquired, and
22 construction prosecuted thereon prior to approval of title;
23 reserve plant and Government and contractor-owned
24 equipment layaway; and other expenses necessary for the
25 foregoing purposes including rents and transportation of

1 things, \$5,267,119,000, to remain available for obligation
2 until September 30, 2016.

3 PROCUREMENT OF AMMUNITION, AIR FORCE

4 For construction, procurement, production, and
5 modification of ammunition, and accessories therefor; spe-
6 cialized equipment and training devices; expansion of pub-
7 lic and private plants, including ammunition facilities, au-
8 thorized by section 2854 of title 10, United States Code,
9 and the land necessary therefor, for the foregoing pur-
10 poses, and such lands and interests therein, may be ac-
11 quired, and construction prosecuted thereon prior to ap-
12 proval of title; and procurement and installation of equip-
13 ment, appliances, and machine tools in public and private
14 plants; reserve plant and Government and contractor-
15 owned equipment layaway; and other expenses necessary
16 for the foregoing purposes, \$743,442,000, to remain avail-
17 able for obligation until September 30, 2016.

18 OTHER PROCUREMENT, AIR FORCE

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

1 ment-owned equipment and installation thereof in such
2 plants, erection of structures, and acquisition of land, for
3 the foregoing purposes, and such lands and interests
4 therein, may be acquired, and construction prosecuted
5 thereon, prior to approval of title; reserve plant and Gov-
6 ernment and contractor-owned equipment layaway,
7 \$16,791,497,000, to remain available for obligation until
8 September 30, 2016.

9 PROCUREMENT, DEFENSE-WIDE

10 For expenses of activities and agencies of the Depart-
11 ment of Defense (other than the military departments)
12 necessary for procurement, production, and modification
13 of equipment, supplies, materials, and spare parts there-
14 for, not otherwise provided for; the purchase of passenger
15 motor vehicles for replacement only; expansion of public
16 and private plants, equipment, and installation thereof in
17 such plants, erection of structures, and acquisition of land
18 for the foregoing purposes, and such lands and interests
19 therein, may be acquired, and construction prosecuted
20 thereon prior to approval of title; reserve plant and Gov-
21 ernment and contractor-owned equipment layaway,
22 \$4,522,990,000, to remain available for obligation until
23 September 30, 2016.

1 DEFENSE PRODUCTION ACT PURCHASES

2 For activities by the Department of Defense pursuant
3 to sections 108, 301, 302, and 303 of the Defense Produc-
4 tion Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and
5 2093), \$75,135,000, to remain available until expended.

6 TITLE IV

7 RESEARCH, DEVELOPMENT, TEST AND

8 EVALUATION

9 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

10 ARMY

11 For expenses necessary for basic and applied sci-
12 entific research, development, test and evaluation, includ-
13 ing maintenance, rehabilitation, lease, and operation of fa-
14 cilities and equipment, \$7,961,486,000, to remain avail-
15 able for obligation until September 30, 2015.

16 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

17 NAVY

18 For expenses necessary for basic and applied sci-
19 entific research, development, test and evaluation, includ-
20 ing maintenance, rehabilitation, lease, and operation of fa-
21 cilities and equipment, \$15,368,352,000, to remain avail-
22 able for obligation until September 30, 2015: *Provided*,
23 That funds appropriated in this paragraph which are
24 available for the V-22 may be used to meet unique oper-
25 ational requirements of the Special Operations Forces:

1 *Provided further*, That funds appropriated in this para-
2 graph shall be available for the Cobra Judy program.

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

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

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

12 (INCLUDING TRANSFER OF FUNDS)

13 For expenses of activities and agencies of the Depart-
14 ment of Defense (other than the military departments),
15 necessary for basic and applied scientific research, devel-
16 opment, test and evaluation; advanced research projects
17 as may be designated and determined by the Secretary
18 of Defense, pursuant to law; maintenance, rehabilitation,
19 lease, and operation of facilities and equipment,
20 \$17,885,538,000, to remain available for obligation until
21 September 30, 2015: *Provided*, That of the funds made
22 available in this paragraph, \$250,000,000 for the Defense
23 Rapid Innovation Program shall only be available for ex-
24 penses, not otherwise provided for, to include program
25 management and oversight, to conduct research, develop-

1 ment, test and evaluation to include proof of concept dem-
2 onstration; engineering, testing, and validation; and tran-
3 sition to full-scale production: *Provided further*, That the
4 Secretary of Defense may transfer funds provided herein
5 for the Defense Rapid Innovation Program to appropria-
6 tions for research, development, test and evaluation to ac-
7 complish the purpose provided herein: *Provided further*,
8 That this transfer authority is in addition to any other
9 transfer authority available to the Department of Defense:
10 *Provided further*, That the Secretary of Defense shall, not
11 fewer than 30 days prior to making transfers from this
12 appropriation, notify the congressional defense committees
13 in writing of the details of any such transfer.

14 OPERATIONAL TEST AND EVALUATION, DEFENSE

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

1 TITLE V
2 REVOLVING AND MANAGEMENT FUNDS
3 DEFENSE WORKING CAPITAL FUNDS

4 For the Defense Working Capital Funds,
5 \$1,545,827,000.

6 NATIONAL DEFENSE SEALIFT FUND

7 For National Defense Sealift Fund programs,
8 projects, and activities, and for expenses of the National
9 Defense Reserve Fleet, as established by section 11 of the
10 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),
11 and for the necessary expenses to maintain and preserve
12 a U.S.-flag merchant fleet to serve the national security
13 needs of the United States, \$595,700,000, to remain avail-
14 able until expended: *Provided*, That none of the funds pro-
15 vided in this paragraph shall be used to award a new con-
16 tract that provides for the acquisition of any of the fol-
17 lowing major components unless such components are
18 manufactured in the United States: auxiliary equipment,
19 including pumps, for all shipboard services; propulsion
20 system components (engines, reduction gears, and propel-
21 lers); shipboard cranes; and spreaders for shipboard
22 cranes: *Provided further*, That the exercise of an option
23 in a contract awarded through the obligation of previously
24 appropriated funds shall not be considered to be the award
25 of a new contract: *Provided further*, That the Secretary

1 of the military department responsible for such procure-
2 ment may waive the restrictions in the first proviso on
3 a case-by-case basis by certifying in writing to the Com-
4 mittees on Appropriations of the House of Representatives
5 and the Senate that adequate domestic supplies are not
6 available to meet Department of Defense requirements on
7 a timely basis and that such an acquisition must be made
8 in order to acquire capability for national security pur-
9 poses.

10 TITLE VI
11 OTHER DEPARTMENT OF DEFENSE PROGRAMS

12 DEFENSE HEALTH PROGRAM

13 For expenses, not otherwise provided for, for medical
14 and health care programs of the Department of Defense
15 as authorized by law, \$33,573,582,000; of which
16 \$31,566,688,000 shall be for operation and maintenance,
17 of which not to exceed one percent shall remain available
18 for obligation until September 30, 2015 and of which up
19 to \$15,969,816,000 may be available for contracts entered
20 into under the TRICARE program; of which
21 \$671,181,000, to remain available for obligation until Sep-
22 tember 30, 2016, shall be for procurement; and of which
23 \$1,335,713,000, to remain available for obligation until
24 September 30, 2015, shall be for research, development,
25 test and evaluation: *Provided*, That, notwithstanding any

1 other provision of law, of the amount made available under
2 this heading for research, development, test and evalua-
3 tion, not less than \$8,000,000 shall be available for HIV
4 prevention educational activities undertaken in connection
5 with United States military training, exercises, and hu-
6 manitarian assistance activities conducted primarily in Af-
7 rican nations: *Provided further*, That of the funds made
8 available under this Act for research, development, test
9 and evaluation, procurement, or operation and mainte-
10 nance for the Defense Health Agency, not more than 25
11 percent may be used until the date on which the program
12 plan for the oversight and execution of the integrated elec-
13 tronic health record program required by subtitle C of title
14 VII of the National Defense Authorization Act for Fiscal
15 Year 2014 is submitted to Congress.

16 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
17 DEFENSE

18 For expenses, not otherwise provided for, necessary
19 for the destruction of the United States stockpile of lethal
20 chemical agents and munitions in accordance with the pro-
21 visions of section 1412 of the Department of Defense Au-
22 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
23 struction of other chemical warfare materials that are not
24 in the chemical weapon stockpile, \$1,057,123,000, of
25 which \$451,572,000 shall be for operation and mainte-

1 nance, of which no less than \$51,217,000 shall be for the
 2 Chemical Stockpile Emergency Preparedness Program,
 3 consisting of \$21,489,000 for activities on military instal-
 4 lations and \$29,728,000, to remain available until Sep-
 5 tember 30, 2015, to assist State and local governments;
 6 \$1,368,000 shall be for procurement, to remain available
 7 until September 30, 2016, of which \$1,368,000 shall be
 8 for the Chemical Stockpile Emergency Preparedness Pro-
 9 gram to assist State and local governments; and
 10 \$604,183,000, to remain available until September 30,
 11 2015, shall be for research, development, test and evalua-
 12 tion, of which \$584,238,000 shall only be for the Assem-
 13 bled Chemical Weapons Alternatives (ACWA) program.

14 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
 15 DEFENSE

16 (INCLUDING TRANSFER OF FUNDS)

17 For drug interdiction and counter-drug activities of
 18 the Department of Defense, for transfer to appropriations
 19 available to the Department of Defense for military per-
 20 sonnel of the reserve components serving under the provi-
 21 sions of title 10 and title 32, United States Code; for oper-
 22 ation and maintenance; for procurement; and for research,
 23 development, test and evaluation, \$1,007,762,000: *Pro-*
 24 *vided*, That the funds appropriated under this heading
 25 shall be available for obligation for the same time period

1 and for the same purpose as the appropriation to which
2 transferred: *Provided further*, That upon a determination
3 that all or part of the funds transferred from this appro-
4 priation are not necessary for the purposes provided here-
5 in, such amounts may be transferred back to this appro-
6 priation: *Provided further*, That the transfer authority pro-
7 vided under this heading is in addition to any other trans-
8 fer authority contained elsewhere in this Act.

9 OFFICE OF THE INSPECTOR GENERAL

10 For expenses and activities of the Office of the In-
11 spector General in carrying out the provisions of the In-
12 spector General Act of 1978, as amended, \$347,000,000,
13 of which \$346,000,000 shall be for operation and mainte-
14 nance, of which not to exceed \$700,000 is available for
15 emergencies and extraordinary expenses to be expended on
16 the approval or authority of the Inspector General, and
17 payments may be made on the Inspector General's certifi-
18 cate of necessity for confidential military purposes; and
19 of which \$1,000,000, to remain available until September
20 30, 2016, shall be for procurement.

1 TITLE VII
2 RELATED AGENCIES
3 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
4 DISABILITY SYSTEM FUND

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

10 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

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

13 TITLE VIII
14 GENERAL PROVISIONS

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

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

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

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

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

23 (TRANSFER OF FUNDS)

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

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

1 thority provided in this section shall be made prior to June
2 30, 2014: *Provided further*, That transfers among military
3 personnel appropriations shall not be taken into account
4 for purposes of the limitation on the amount of funds that
5 may be transferred under this section.

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

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

1 SEC. 8007. (a) Not later than 60 days after enact-
2 ment of this Act, the Department of Defense shall submit
3 a report to the congressional defense committees to estab-
4 lish the baseline for application of reprogramming and
5 transfer authorities for fiscal year 2014: *Provided*, That
6 the report shall include—

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

12 (2) a delineation in the table for each ap-
13 propriation both by budget activity and pro-
14 gram, project, and activity as detailed in the
15 Budget Appendix; and

16 (3) an identification of items of special
17 congressional interest.

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

(TRANSFER OF FUNDS)

1
2 SEC. 8008. During the current fiscal year, cash bal-
3 ances in working capital funds of the Department of De-
4 fense established pursuant to section 2208 of title 10,
5 United States Code, may be maintained in only such
6 amounts as are necessary at any time for cash disburse-
7 ments to be made from such funds: *Provided*, That trans-
8 fers may be made between such funds: *Provided further*,
9 That transfers may be made between working capital
10 funds and the “Foreign Currency Fluctuations, Defense”
11 appropriation and the “Operation and Maintenance” ap-
12 propriation accounts in such amounts as may be deter-
13 mined by the Secretary of Defense, with the approval of
14 the Office of Management and Budget, except that such
15 transfers may not be made unless the Secretary of Defense
16 has notified the Congress of the proposed transfer. Except
17 in amounts equal to the amounts appropriated to working
18 capital funds in this Act, no obligations may be made
19 against a working capital fund to procure or increase the
20 value of war reserve material inventory, unless the Sec-
21 retary of Defense has notified the Congress prior to any
22 such obligation.

23 SEC. 8009. Funds appropriated by this Act may not
24 be used to initiate a special access program without prior

1 notification 30 calendar days in advance to the congres-
2 sional defense committees.

3 SEC. 8010. None of the funds provided in this Act
4 shall be available to initiate: (1) a multiyear contract that
5 employs economic order quantity procurement in excess of
6 \$20,000,000 in any one year of the contract or that in-
7 cludes an unfunded contingent liability in excess of
8 \$20,000,000; or (2) a contract for advance procurement
9 leading to a multiyear contract that employs economic
10 order quantity procurement in excess of \$20,000,000 in
11 any one year, unless the congressional defense committees
12 have been notified at least 30 days in advance of the pro-
13 posed contract award: *Provided*, That no part of any ap-
14 propriation contained in this Act shall be available to ini-
15 tiate a multiyear contract for which the economic order
16 quantity advance procurement is not funded at least to
17 the limits of the Government's liability: *Provided further*,
18 That no part of any appropriation contained in this Act
19 shall be available to initiate multiyear procurement con-
20 tracts for any systems or component thereof if the value
21 of the multiyear contract would exceed \$500,000,000 un-
22 less specifically provided in this Act: *Provided further*,
23 That no multiyear procurement contract can be termi-
24 nated without 10-day prior notification to the congres-
25 sional defense committees: *Provided further*, That the exe-

1 cution of multiyear authority shall require the use of a
2 present value analysis to determine lowest cost compared
3 to an annual procurement: *Provided further*, That none of
4 the funds provided in this Act may be used for a multiyear
5 contract executed after the date of the enactment of this
6 Act unless in the case of any such contract—

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

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

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

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

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

6 E-2D Advanced Hawkeye, SSN 774 Virginia class
7 submarine, KC-130J, C-130J, HC-130J, MC-130J, AC-
8 130J aircraft, Ground-Based Midcourse Defense System
9 Ground-Based Interceptors, and government furnished
10 equipment.

11 SEC. 8011. Within the funds appropriated for the op-
12 eration and maintenance of the Armed Forces, funds are
13 hereby appropriated pursuant to section 401 of title 10,
14 United States Code, for humanitarian and civic assistance
15 costs under chapter 20 of title 10, United States Code.
16 Such funds may also be obligated for humanitarian and
17 civic assistance costs incidental to authorized operations
18 and pursuant to authority granted in section 401 of chap-
19 ter 20 of title 10, United States Code, and these obliga-
20 tions shall be reported as required by section 401(d) of
21 title 10, United States Code: *Provided*, That funds avail-
22 able for operation and maintenance shall be available for
23 providing humanitarian and similar assistance by using
24 Civic Action Teams in the Trust Territories of the Pacific
25 Islands and freely associated states of Micronesia, pursu-

1 ant to the Compact of Free Association as authorized by
2 Public Law 99–239: *Provided further*, That upon a deter-
3 mination by the Secretary of the Army that such action
4 is beneficial for graduate medical education programs con-
5 ducted at Army medical facilities located in Hawaii, the
6 Secretary of the Army may authorize the provision of med-
7 ical services at such facilities and transportation to such
8 facilities, on a nonreimbursable basis, for civilian patients
9 from American Samoa, the Commonwealth of the North-
10 ern Mariana Islands, the Marshall Islands, the Federated
11 States of Micronesia, Palau, and Guam.

12 SEC. 8012. (a) During fiscal year 2014, the civilian
13 personnel of the Department of Defense may not be man-
14 aged on the basis of any end-strength, and the manage-
15 ment of such personnel during that fiscal year shall not
16 be subject to any constraint or limitation (known as an
17 end-strength) on the number of such personnel who may
18 be employed on the last day of such fiscal year.

19 (b) The fiscal year 2015 budget request for the De-
20 partment of Defense as well as all justification material
21 and other documentation supporting the fiscal year 2015
22 Department of Defense budget request shall be prepared
23 and submitted to the Congress as if subsections (a) and
24 (c) of this provision were effective with regard to fiscal
25 year 2015.

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

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

7 SEC. 8014. None of the funds appropriated by this
8 Act shall be available for the basic pay and allowances of
9 any member of the Army participating as a full-time stu-
10 dent and receiving benefits paid by the Secretary of Vet-
11 erans Affairs from the Department of Defense Education
12 Benefits Fund when time spent as a full-time student is
13 credited toward completion of a service commitment: *Pro-*
14 *vided*, That this section shall not apply to those members
15 who have reenlisted with this option prior to October 1,
16 1987: *Provided further*, That this section applies only to
17 active components of the Army.

18 (TRANSFER OF FUNDS)

19 SEC. 8015. Funds appropriated in title III of this Act
20 for the Department of Defense Pilot Mentor-Protege Pro-
21 gram may be transferred to any other appropriation con-
22 tained in this Act solely for the purpose of implementing
23 a Mentor-Protege Program developmental assistance
24 agreement pursuant to section 831 of the National De-
25 fense Authorization Act for Fiscal Year 1991 (Public Law

1 101–510; 10 U.S.C. 2302 note), as amended, under the
2 authority of this provision or any other transfer authority
3 contained in this Act.

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

1 on Appropriations that such an acquisition must be made
2 in order to acquire capability for national security pur-
3 poses.

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

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

24 SEC. 8019. In addition to the funds provided else-
25 where in this Act, \$15,000,000 is appropriated only for

1 incentive payments authorized by section 504 of the In-
2 dian Financing Act of 1974 (25 U.S.C. 1544): *Provided*,
3 That a prime contractor or a subcontractor at any tier
4 that makes a subcontract award to any subcontractor or
5 supplier as defined in section 1544 of title 25, United
6 States Code, or a small business owned and controlled by
7 an individual or individuals defined under section 4221(9)
8 of title 25, United States Code, shall be considered a con-
9 tractor for the purposes of being allowed additional com-
10 pensation under section 504 of the Indian Financing Act
11 of 1974 (25 U.S.C. 1544) whenever the prime contract
12 or subcontract amount is over \$500,000 and involves the
13 expenditure of funds appropriated by an Act making Ap-
14 propriations for the Department of Defense with respect
15 to any fiscal year: *Provided further*, That notwithstanding
16 section 1906 of title 41, United States Code, this section
17 shall be applicable to any Department of Defense acquisi-
18 tion of supplies or services, including any contract and any
19 subcontract at any tier for acquisition of commercial items
20 produced or manufactured, in whole or in part, by any
21 subcontractor or supplier defined in section 1544 of title
22 25, United States Code, or a small business owned and
23 controlled by an individual or individuals defined under
24 section 4221(9) of title 25, United States Code.

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

4 SEC. 8021. During the current fiscal year, the De-
5 partment of Defense is authorized to incur obligations of
6 not to exceed \$350,000,000 for purposes specified in sec-
7 tion 2350j(c) of title 10, United States Code, in anticipa-
8 tion of receipt of contributions, only from the Government
9 of Kuwait, under that section: *Provided*, That upon re-
10 ceipt, such contributions from the Government of Kuwait
11 shall be credited to the appropriations or fund which in-
12 curred such obligations.

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

16 (1) \$28,400,000 shall be available from “Oper-
17 ation and Maintenance, Air Force” to support Civil
18 Air Patrol Corporation operation and maintenance,
19 readiness, counterdrug activities, and drug demand
20 reduction activities involving youth programs;

21 (2) \$10,200,000 shall be available from “Air-
22 craft Procurement, Air Force”; and

23 (3) \$932,000 shall be available from “Other
24 Procurement, Air Force” for vehicle procurement.

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

5 SEC. 8023. (a) None of the funds appropriated in this
6 Act are available to establish a new Department of De-
7 fense (department) federally funded research and develop-
8 ment center (FFRDC), either as a new entity, or as a
9 separate entity administrated by an organization man-
10 aging another FFRDC, or as a nonprofit membership cor-
11 poration consisting of a consortium of other FFRDCs and
12 other nonprofit entities.

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

1 (c) Notwithstanding any other provision of law, none
2 of the funds available to the department from any source
3 during fiscal year 2014 may be used by a defense FFRDC,
4 through a fee or other payment mechanism, for construc-
5 tion of new buildings, for payment of cost sharing for
6 projects funded by Government grants, for absorption of
7 contract overruns, or for certain charitable contributions,
8 not to include employee participation in community service
9 and/or development.

10 (d) Notwithstanding any other provision of law, of
11 the funds available to the department during fiscal year
12 2014, not more than 5,750 staff years of technical effort
13 (staff years) may be funded for defense FFRDCs: *Pro-*
14 *vided*, That of the specific amount referred to previously
15 in this subsection, not more than 1,125 staff years may
16 be funded for the defense studies and analysis FFRDCs:
17 *Provided further*, That this subsection shall not apply to
18 staff years funded in the National Intelligence Program
19 (NIP) and the Military Intelligence Program (MIP).

20 (e) The Secretary of Defense shall, with the submis-
21 sion of the department's fiscal year 2015 budget request,
22 submit a report presenting the specific amounts of staff
23 years of technical effort to be allocated for each defense
24 FFRDC during that fiscal year and the associated budget
25 estimates.

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

4 SEC. 8024. None of the funds appropriated or made
5 available in this Act shall be used to procure carbon, alloy,
6 or armor steel plate for use in any Government-owned fa-
7 cility or property under the control of the Department of
8 Defense which were not melted and rolled in the United
9 States or Canada: *Provided*, That these procurement re-
10 strictions shall apply to any and all Federal Supply Class
11 9515, American Society of Testing and Materials (ASTM)
12 or American Iron and Steel Institute (AISI) specifications
13 of carbon, alloy, or armor steel plate: *Provided further*,
14 That the Secretary of the military department 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 of the House of Representatives and the
18 Senate that adequate domestic supplies are not available
19 to meet Department of Defense requirements on a timely
20 basis and that such an acquisition must be made in order
21 to acquire capability for national security purposes: *Pro-*
22 *vided further*, That these restrictions shall not apply to
23 contracts which are in being as of the date of the enact-
24 ment of this Act.

1 SEC. 8025. For the purposes of this Act, the term
2 “congressional defense committees” means the Armed
3 Services Committee of the House of Representatives, the
4 Armed Services Committee of the Senate, the Sub-
5 committee on Defense of the Committee on Appropriations
6 of the Senate, and the Subcommittee on Defense of the
7 Committee on Appropriations of the House of Representa-
8 tives.

9 SEC. 8026. During the current fiscal year, the De-
10 partment of Defense may acquire the modification, depot
11 maintenance and repair of aircraft, vehicles and vessels
12 as well as the production of components and other De-
13 fense-related articles, through competition between De-
14 partment of Defense depot maintenance activities and pri-
15 vate firms: *Provided*, That the Senior Acquisition Execu-
16 tive of the military department or Defense Agency con-
17 cerned, with power of delegation, shall certify that success-
18 ful bids include comparable estimates of all direct and in-
19 direct costs for both public and private bids: *Provided fur-*
20 *ther*, That Office of Management and Budget Circular A-
21 76 shall not apply to competitions conducted under this
22 section.

23 SEC. 8027. (a)(1) If the Secretary of Defense, after
24 consultation with the United States Trade Representative,
25 determines that a foreign country which is party to an

1 agreement described in paragraph (2) has violated the
2 terms of the agreement by discriminating against certain
3 types of products produced in the United States that are
4 covered by the agreement, the Secretary of Defense shall
5 rescind the Secretary's blanket waiver of the Buy Amer-
6 ican Act with respect to such types of products produced
7 in that foreign country.

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

14 (b) The Secretary of Defense shall submit to the Con-
15 gress a report on the amount of Department of Defense
16 purchases from foreign entities in fiscal year 2014. Such
17 report shall separately indicate the dollar value of items
18 for which the Buy American Act was waived pursuant to
19 any agreement described in subsection (a)(2), the Trade
20 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any
21 international agreement to which the United States is a
22 party.

23 (c) For purposes of this section, the term "Buy
24 American Act" means chapter 83 of title 41, United
25 States Code.

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

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

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

1 housing units shall be removed within a reasonable period
2 of time, as determined by the Secretary.

3 (c) The Operation Walking Shield Program shall re-
4 solve any conflicts among requests of Indian tribes for
5 housing units under subsection (a) before submitting re-
6 quests to the Secretary of the Air Force under subsection
7 (b).

8 (d) In this section, the term “Indian tribe” means
9 any recognized Indian tribe included on the current list
10 published by the Secretary of the Interior under section
11 104 of the Federally Recognized Indian Tribe Act of 1994
12 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–
13 1).

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

19 SEC. 8031. (a) During the current fiscal year, none
20 of the appropriations or funds available to the Department
21 of Defense Working Capital Funds shall be used for the
22 purchase of an investment item for the purpose of acquir-
23 ing a new inventory item for sale or anticipated sale dur-
24 ing the current fiscal year or a subsequent fiscal year to
25 customers of the Department of Defense Working Capital

1 Funds if such an item would not have been chargeable
2 to the Department of Defense Business Operations Fund
3 during fiscal year 1994 and if the purchase of such an
4 investment item would be chargeable during the current
5 fiscal year to appropriations made to the Department of
6 Defense for procurement.

7 (b) The fiscal year 2015 budget request for the De-
8 partment of Defense, as well as all justification material
9 and other documentation supporting the fiscal year 2015
10 Department of Defense budget, shall be prepared and sub-
11 mitted to the Congress on the basis that any equipment
12 which was classified as an end item and funded in a pro-
13 curement appropriation contained in this Act shall be
14 budgeted for in a proposed fiscal year 2015 procurement
15 appropriation and not in the supply management business
16 area or any other area or category of the Department of
17 Defense Working Capital Funds.

18 SEC. 8032. None of the funds appropriated by this
19 Act for programs of the Central Intelligence Agency shall
20 remain available for obligation beyond the current fiscal
21 year, except for funds appropriated for the Reserve for
22 Contingencies, which shall remain available until Sep-
23 tember 30, 2015: *Provided*, That funds appropriated,
24 transferred, or otherwise credited to the Central Intel-
25 ligence Agency Central Services Working Capital Fund

1 during this or any prior or subsequent fiscal year shall
2 remain available until expended: *Provided further*, That
3 any funds appropriated or transferred to the Central Intel-
4 ligence Agency for advanced research and development ac-
5 quisition, for agent operations, and for covert action pro-
6 grams authorized by the President under section 503 of
7 the National Security Act of 1947 (50 U.S.C. 3093) shall
8 remain available until September 30, 2015.

9 SEC. 8033. Notwithstanding any other provision of
10 law, funds made available in this Act for the Defense In-
11 telligence Agency may be used for the design, develop-
12 ment, and deployment of General Defense Intelligence
13 Program intelligence communications and intelligence in-
14 formation systems for the Services, the Unified and Speci-
15 fied Commands, and the component commands.

16 SEC. 8034. Of the funds appropriated to the Depart-
17 ment of Defense under the heading “Operation and Main-
18 tenance, Defense-Wide”, not less than \$12,000,000 shall
19 be made available only for the mitigation of environmental
20 impacts, including training and technical assistance to
21 tribes, related administrative support, the gathering of in-
22 formation, documenting of environmental damage, and de-
23 veloping a system for prioritization of mitigation and cost
24 to complete estimates for mitigation, on Indian lands re-
25 sulting from Department of Defense activities.

1 SEC. 8035. (a) None of the funds appropriated in this
2 Act may be expended by an entity of the Department of
3 Defense unless the entity, in expending the funds, com-
4 plies with the Buy American Act. For purposes of this
5 subsection, the term “Buy American Act” means chapter
6 83 of title 41, United States Code.

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

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

23 SEC. 8036. None of the funds appropriated by this
24 Act shall be available for a contract for studies, analysis,
25 or consulting services entered into without competition on

1 the basis of an unsolicited proposal unless the head of the
2 activity responsible for the procurement determines—

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

6 (2) the purpose of the contract is to explore an
7 unsolicited proposal which offers significant sci-
8 entific or technological promise, represents the prod-
9 uct of original thinking, and was submitted in con-
10 fidence by one source; or

11 (3) the purpose of the contract is to take ad-
12 vantage of unique and significant industrial accom-
13 plishment by a specific concern, or to insure that a
14 new product or idea of a specific concern is given fi-
15 nancial support: *Provided*, That this limitation shall
16 not apply to contracts in an amount of less than
17 \$25,000, contracts related to improvements of equip-
18 ment that is in development or production, or con-
19 tracts as to which a civilian official of the Depart-
20 ment of Defense, who has been confirmed by the
21 Senate, determines that the award of such contract
22 is in the interest of the national defense.

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

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

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

7 (b) The Secretary of Defense or Secretary of a mili-
8 tary department may waive the limitations in subsection
9 (a), on a case-by-case basis, if the Secretary determines,
10 and certifies to the Committees on Appropriations of the
11 House of Representatives and the Senate that the grant-
12 ing of the waiver will reduce the personnel requirements
13 or the financial requirements of the department.

14 (c) This section does not apply to—

15 (1) field operating agencies funded within the
16 National Intelligence Program;

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

21 (3) an Army field operating agency established
22 to improve the effectiveness and efficiencies of bio-
23 metric activities and to integrate common biometric
24 technologies throughout the Department of Defense.

1 SEC. 8038. The Secretary of Defense, notwith-
2 standing any other provision of law, acting through the
3 Office of Economic Adjustment of the Department of De-
4 fense, may use funds made available in this Act under the
5 heading “Operation and Maintenance, Defense-Wide” to
6 make grants and supplement other Federal funds in ac-
7 cordance with the guidance provided in the explanatory
8 statement accompanying this Act.

9 SEC. 8039. (a) None of the funds appropriated by
10 this Act shall be available to convert to contractor per-
11 formance an activity or function of the Department of De-
12 fense that, on or after the date of the enactment of this
13 Act, is performed by Department of Defense civilian em-
14 ployees unless—

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

19 (2) the Competitive Sourcing Official deter-
20 mines that, over all performance periods stated in
21 the solicitation of offers for performance of the ac-
22 tivity or function, the cost of performance of the ac-
23 tivity or function by a contractor would be less costly
24 to the Department of Defense by an amount that
25 equals or exceeds the lesser of—

1 (A) 10 percent of the most efficient organi-
2 zation's personnel-related costs for performance
3 of that activity or function by Federal employ-
4 ees; or

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

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

9 (A) not making an employer-sponsored
10 health insurance plan available to the workers
11 who are to be employed in the performance of
12 that activity or function under the contract; or

13 (B) offering to such workers an employer-
14 sponsored health benefits plan that requires the
15 employer to contribute less towards the pre-
16 mium or subscription share than the amount
17 that is paid by the Department of Defense for
18 health benefits for civilian employees under
19 chapter 89 of title 5, United States Code.

20 (b)(1) The Department of Defense, without regard
21 to subsection (a) of this section or subsection (a), (b), or
22 (c) of section 2461 of title 10, United States Code, and
23 notwithstanding any administrative regulation, require-
24 ment, or policy to the contrary shall have full authority
25 to enter into a contract for the performance of any com-

1 mercial or industrial type function of the Department of
2 Defense that—

3 (A) is included on the procurement list estab-
4 lished pursuant to section 2 of the Javits-Wagner-
5 O'Day Act (section 8503 of title 41, United States
6 Code);

7 (B) is planned to be converted to performance
8 by a qualified nonprofit agency for the blind or by
9 a qualified nonprofit agency for other severely handi-
10 capped individuals in accordance with that Act; or

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

18 (2) This section shall not apply to depot contracts
19 or contracts for depot maintenance as provided in sections
20 2469 and 2474 of title 10, United States Code.

21 (c) The conversion of any activity or function of the
22 Department of Defense under the authority provided by
23 this section shall be credited toward any competitive or
24 outsourcing goal, target, or measurement that may be es-
25 tablished by statute, regulation, or policy and is deemed

1 to be awarded under the authority of, and in compliance
2 with, subsection (h) of section 2304 of title 10, United
3 States Code, for the competition or outsourcing of com-
4 mercial activities.

5 (RESCISSIONS)

6 SEC. 8040. Of the funds appropriated in Department
7 of Defense Appropriations Acts, the following funds are
8 hereby rescinded from the following accounts and pro-
9 grams in the specified amounts:

10 “National Defense Sealift Fund, 2011/XXXX”,

11 \$28,000,000;

12 “National Defense Sealift Fund, 2012/XXXX”,

13 \$14,000,000;

14 “Aircraft Procurement, Navy, 2012/2014”,

15 \$30,000,000;

16 “Aircraft Procurement, Air Force, 2012/2014”,

17 \$443,000,000;

18 “Missile Procurement, Air Force, 2012/2014”,

19 \$10,000,000;

20 “Aircraft Procurement, Navy, 2013/2015”,

21 \$85,000,000;

22 “Weapons Procurement, Navy, 2013/2015”,

23 \$5,000,000;

24 “Shipbuilding and Conversion, Navy, 2013/

25 2017”: CVN-71, \$68,000,000;

1 “Other Procurement, Navy, 2013/2015”,
2 \$3,553,000;

3 “Procurement, Marine Corps, 2013/2015”,
4 \$12,650,000;

5 “Missile Procurement, Air Force, 2013/2015”,
6 \$60,000,000;

7 “Other Procurement, Air Force, 2013/2015”,
8 \$38,900,000;

9 “Procurement, Defense-Wide, 2013/2015”,
10 \$72,776,000;

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

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

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

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

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

21 SEC. 8041. None of the funds available in this Act
22 may be used to reduce the authorized positions for mili-
23 tary technicians (dual status) of the Army National
24 Guard, Air National Guard, Army Reserve and Air Force
25 Reserve for the purpose of applying any administratively

1 imposed civilian personnel ceiling, freeze, or reduction on
2 military technicians (dual status), unless such reductions
3 are a direct result of a reduction in military force struc-
4 ture.

5 SEC. 8042. None of the funds appropriated or other-
6 wise made available in this Act may be obligated or ex-
7 pended for assistance to the Democratic People's Republic
8 of Korea unless specifically appropriated for that purpose.

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

23 SEC. 8044. During the current fiscal year, none of
24 the funds appropriated in this Act may be used to reduce
25 the civilian medical and medical support personnel as-

1 signed to military treatment facilities below the September
2 30, 2003, level: *Provided*, That the Service Surgeons Gen-
3 eral may waive this section by certifying to the congres-
4 sional defense committees that the beneficiary population
5 is declining in some catchment areas and civilian strength
6 reductions may be consistent with responsible resource
7 stewardship and capitation-based budgeting.

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

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

18 SEC. 8046. None of the funds appropriated by this
19 Act may be used for the procurement of ball and roller
20 bearings other than those produced by a domestic source
21 and of domestic origin: *Provided*, That the Secretary of
22 the military department responsible for such procurement
23 may waive this restriction on a case-by-case basis by certi-
24 fying in writing to the Committees on Appropriations of
25 the House of Representatives and the Senate, that ade-

1 quate domestic supplies are not available to meet Depart-
2 ment of Defense requirements on a timely basis and that
3 such an acquisition must be made in order to acquire ca-
4 pability for national security purposes: *Provided further*,
5 That this restriction shall not apply to the purchase of
6 “commercial items”, as defined by section 4(12) of the
7 Office of Federal Procurement Policy Act, except that the
8 restriction shall apply to ball or roller bearings purchased
9 as end items.

10 SEC. 8047. None of the funds in this Act may be
11 used to purchase any supercomputer which is not manu-
12 factured in the United States, unless the Secretary of De-
13 fense certifies to the congressional defense committees
14 that such an acquisition must be made in order to acquire
15 capability for national security purposes that is not avail-
16 able from United States manufacturers.

17 SEC. 8048. None of the funds made available in this
18 or any other Act may be used to pay the salary of any
19 officer or employee of the Department of Defense who ap-
20 proves or implements the transfer of administrative re-
21 sponsibilities or budgetary resources of any program,
22 project, or activity financed by this Act to the jurisdiction
23 of another Federal agency not financed by this Act with-
24 out the express authorization of Congress: *Provided*, That
25 this limitation shall not apply to transfers of funds ex-

1 pressly provided for in Defense Appropriations Acts, or
2 provisions of Acts providing supplemental appropriations
3 for the Department of Defense.

4 SEC. 8049. (a) Notwithstanding any other provision
5 of law, none of the funds available to the Department of
6 Defense for the current fiscal year may be obligated or
7 expended to transfer to another nation or an international
8 organization any defense articles or services (other than
9 intelligence services) for use in the activities described in
10 subsection (b) unless the congressional defense commit-
11 tees, the Committee on Foreign Affairs of the House of
12 Representatives, and the Committee on Foreign Relations
13 of the Senate are notified 15 days in advance of such
14 transfer.

15 (b) This section applies to—

16 (1) any international peacekeeping or peace-en-
17 forcement operation under the authority of chapter
18 VI or chapter VII of the United Nations Charter
19 under the authority of a United Nations Security
20 Council resolution; and

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

23 (c) A notice under subsection (a) shall include the
24 following:

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

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

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

7 (A) a statement of whether the inventory
8 requirements of all elements of the Armed
9 Forces (including the reserve components) for
10 the type of equipment or supplies to be trans-
11 ferred have been met; and

12 (B) a statement of whether the items pro-
13 posed to be transferred will have to be replaced
14 and, if so, how the President proposes to pro-
15 vide funds for such replacement.

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

1 SEC. 8055. None of the funds appropriated in title
2 IV of this Act may be used to procure end-items for deliv-
3 ery to military forces for operational training, operational
4 use or inventory requirements: *Provided*, That this restric-
5 tion does not apply to end-items used in development,
6 prototyping, and test activities preceding and leading to
7 acceptance for operational use: *Provided further*, That this
8 restriction does not apply to programs funded within the
9 National Intelligence Program: *Provided further*, That the
10 Secretary of Defense may waive this restriction on a case-
11 by-case basis by certifying in writing to the Committees
12 on Appropriations of the House of Representatives and the
13 Senate that it is in the national security interest to do
14 so.

15 SEC. 8056. (a) The Secretary of Defense may, on a
16 case-by-case basis, waive with respect to a foreign country
17 each limitation on the procurement of defense items from
18 foreign sources provided in law if the Secretary determines
19 that the application of the limitation with respect to that
20 country would invalidate cooperative programs entered
21 into between the Department of Defense and the foreign
22 country, or would invalidate reciprocal trade agreements
23 for the procurement of defense items entered into under
24 section 2531 of title 10, United States Code, and the
25 country does not discriminate against the same or similar

1 defense items produced in the United States for that coun-
2 try.

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

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

6 (2) options for the procurement of items that
7 are exercised after such date under contracts that
8 are entered into before such date if the option prices
9 are adjusted for any reason other than the applica-
10 tion of a waiver granted under subsection (a).

11 (c) Subsection (a) does not apply to a limitation re-
12 garding construction of public vessels, ball and roller bear-
13 ings, food, and clothing or textile materials as defined by
14 section 11 (chapters 50–65) of the Harmonized Tariff
15 Schedule and products classified under headings 4010,
16 4202, 4203, 6401 through 6406, 6505, 7019, 7218
17 through 7229, 7304.41 through 7304.49, 7306.40, 7502
18 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

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

1 (b) The Secretary of Defense, in consultation with the
2 Secretary of State, shall ensure that prior to a decision
3 to conduct any training program referred to in subsection
4 (a), full consideration is given to all credible information
5 available to the Department of State relating to human
6 rights violations by foreign security forces.

7 (c) The Secretary of Defense, after consultation with
8 the Secretary of State, may waive the prohibition in sub-
9 section (a) if he determines that such waiver is required
10 by extraordinary circumstances.

11 (d) Not more than 15 days after the exercise of any
12 waiver under subsection (c), the Secretary of Defense shall
13 submit a report to the congressional defense committees
14 describing the extraordinary circumstances, the purpose
15 and duration of the training program, the United States
16 forces and the foreign security forces involved in the train-
17 ing program, and the information relating to human rights
18 violations that necessitates the waiver.

19 SEC. 8058. None of the funds appropriated or other-
20 wise made available by this or other Department of De-
21 fense Appropriations Acts may be obligated or expended
22 for the purpose of performing repairs or maintenance to
23 military family housing units of the Department of De-
24 fense, including areas in such military family housing

1 units that may be used for the purpose of conducting offi-
2 cial Department of Defense business.

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

16 SEC. 8060. The Secretary of Defense shall provide
17 a classified quarterly report beginning 30 days after enact-
18 ment of this Act, to the House and Senate Appropriations
19 Committees, Subcommittees on Defense on certain mat-
20 ters as directed in the classified annex accompanying this
21 Act.

22 SEC. 8061. During the current fiscal year, none of
23 the funds available to the Department of Defense may be
24 used to provide support to another department or agency
25 of the United States if such department or agency is more

1 than 90 days in arrears in making payment to the Depart-
2 ment of Defense for goods or services previously provided
3 to such department or agency on a reimbursable basis:
4 *Provided*, That this restriction shall not apply if the de-
5 partment is authorized by law to provide support to such
6 department or agency on a nonreimbursable basis, and is
7 providing the requested support pursuant to such author-
8 ity: *Provided further*, That the Secretary of Defense may
9 waive this restriction on a case-by-case basis by certifying
10 in writing to the Committees on Appropriations of the
11 House of Representatives and the Senate that it is in the
12 national security interest to do so.

13 SEC. 8062. Notwithstanding section 12310(b) of title
14 10, United States Code, a Reserve who is a member of
15 the National Guard serving on full-time National Guard
16 duty under section 502(f) of title 32, United States Code,
17 may perform duties in support of the ground-based ele-
18 ments of the National Ballistic Missile Defense System.

19 SEC. 8063. None of the funds provided in this Act
20 may be used to transfer to any nongovernmental entity
21 ammunition held by the Department of Defense that has
22 a center-fire cartridge and a United States military no-
23 menclature designation of “armor penetrator”, “armor
24 piercing (AP)”, “armor piercing incendiary (API)”, or
25 “armor-piercing incendiary tracer (API-T)”, except to an

1 entity performing demilitarization services for the Depart-
2 ment of Defense under a contract that requires the entity
3 to demonstrate to the satisfaction of the Department of
4 Defense that armor piercing projectiles are either: (1) ren-
5 dered incapable of reuse by the demilitarization process;
6 or (2) used to manufacture ammunition pursuant to a con-
7 tract with the Department of Defense or the manufacture
8 of ammunition for export pursuant to a License for Per-
9 manent Export of Unclassified Military Articles issued by
10 the Department of State.

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

22 SEC. 8065. None of the funds appropriated by this
23 Act shall be used for the support of any nonappropriated
24 funds activity of the Department of Defense that procures
25 malt beverages and wine with nonappropriated funds for

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

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8066. Of the amounts appropriated in this Act
19 under the heading “Operation and Maintenance, Army”,
20 \$108,725,800 shall remain available until expended: *Pro-*
21 *vided*, That notwithstanding any other provision of law,
22 the Secretary of Defense is authorized to transfer such
23 funds to other activities of the Federal Government: *Pro-*
24 *vided further*, That the Secretary of Defense is authorized
25 to enter into and carry out contracts for the acquisition

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

10 SEC. 8067. Section 8106 of the Department of De-
11 fense Appropriations Act, 1997 (titles I through VIII of
12 the matter under subsection 101(b) of Public Law 104–
13 208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall con-
14 tinue in effect to apply to disbursements that are made
15 by the Department of Defense in fiscal year 2014.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 8068. During the current fiscal year, not to ex-
18 ceed \$200,000,000 from funds available under “Operation
19 and Maintenance, Defense-Wide” may be transferred to
20 the Department of State “Global Security Contingency
21 Fund”: *Provided*, That this transfer authority is in addi-
22 tion to any other transfer authority available to the De-
23 partment of Defense: *Provided further*, That the Secretary
24 of Defense shall, not fewer than 30 days prior to making
25 transfers to the Department of State “Global Security

1 Contingency Fund”, notify the congressional defense com-
2 mittees in writing with the source of funds and a detailed
3 justification, execution plan, and timeline for each pro-
4 posed project.

5 SEC. 8069. In addition to amounts provided else-
6 where in this Act, \$4,000,000 is hereby appropriated to
7 the Department of Defense, to remain available for obliga-
8 tion until expended: *Provided*, That notwithstanding any
9 other provision of law, that upon the determination of the
10 Secretary of Defense that it shall serve the national inter-
11 est, these funds shall be available only for a grant to the
12 Fisher House Foundation, Inc., only for the construction
13 and furnishing of additional Fisher Houses to meet the
14 needs of military family members when confronted with
15 the illness or hospitalization of an eligible military bene-
16 ficiary.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8070. Of the amounts appropriated in this Act
19 under the headings “Procurement, Defense-Wide” and
20 “Research, Development, Test and Evaluation, Defense-
21 Wide”, \$489,091,000 shall be for the Israeli Cooperative
22 Programs: *Provided*, That of this amount, \$220,309,000
23 shall be for the Secretary of Defense to provide to the Gov-
24 ernment of Israel for the procurement of the Iron Dome
25 defense system to counter short-range rocket threats;

1 \$149,712,000 shall be for the Short Range Ballistic Mis-
2 sile Defense (SRBMD) program, including cruise missile
3 defense research and development under the SRBMD pro-
4 gram, of which \$15,000,000 shall be for production activi-
5 ties of SRBMD missiles in the United States and in Israel
6 to meet Israel's defense requirements consistent with each
7 nation's laws, regulations, and procedures; \$74,707,000
8 shall be available for an upper-tier component to the
9 Israeli Missile Defense Architecture, and \$44,363,000
10 shall be available for the Arrow System Improvement Pro-
11 gram including development of a long range, ground and
12 airborne, detection suite: *Provided further*, That funds
13 made available under this provision for production of mis-
14 siles and missile components may be transferred to appro-
15 priations available for the procurement of weapons and
16 equipment, to be merged with and to be available for the
17 same time period and the same purposes as the appropria-
18 tion to which transferred: *Provided further*, That the
19 transfer authority provided under this provision is in addi-
20 tion to any other transfer authority provided in this Act.

21 SEC. 8071. (a) None of the funds available to the
22 Department of Defense may be obligated to modify com-
23 mand and control relationships to give Fleet Forces Com-
24 mand operational and administrative control of U.S. Navy
25 forces assigned to the Pacific fleet.

1 (b) None of the funds available to the Department
2 of Defense may be obligated to modify command and con-
3 trol relationships to give United States Transportation
4 Command operational and administrative control of C-
5 130 and KC-135 forces assigned to the Pacific and Euro-
6 pean Air Force Commands.

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

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

13 (INCLUDING TRANSFER OF FUNDS)

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

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

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

7 SEC. 8073. Funds appropriated by this Act, or made
8 available by the transfer of funds in this Act, for intel-
9 ligence activities are deemed to be specifically authorized
10 by the Congress for purposes of section 504 of the Na-
11 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
12 year 2014 until the enactment of the Intelligence Author-
13 ization Act for Fiscal Year 2014.

14 SEC. 8074. None of the funds provided in this Act
15 shall be available for obligation or expenditure through a
16 reprogramming of funds that creates or initiates a new
17 program, project, or activity unless such program, project,
18 or activity must be undertaken immediately in the interest
19 of national security and only after written prior notifica-
20 tion to the congressional defense committees.

21 SEC. 8075. The budget of the President for fiscal
22 year 2015 submitted to the Congress pursuant to section
23 1105 of title 31, United States Code, shall include sepa-
24 rate budget justification documents for costs of United
25 States Armed Forces’ participation in contingency oper-

1 ations for the Military Personnel accounts, the Operation
2 and Maintenance accounts, and the Procurement ac-
3 counts: *Provided*, That these documents shall include a de-
4 scription of the funding requested for each contingency op-
5 eration, for each military service, to include all Active and
6 Reserve components, and for each appropriations account:
7 *Provided further*, That these documents shall include esti-
8 mated costs for each element of expense or object class,
9 a reconciliation of increases and decreases for each contin-
10 gency operation, and programmatic data including, but
11 not limited to, troop strength for each Active and Reserve
12 component, and estimates of the major weapons systems
13 deployed in support of each contingency: *Provided further*,
14 That these documents shall include budget exhibits OP-
15 5 and OP-32 (as defined in the Department of Defense
16 Financial Management Regulation) for all contingency op-
17 erations for the budget year and the two preceding fiscal
18 years.

19 SEC. 8076. None of the funds in this Act may be
20 used for research, development, test, evaluation, procure-
21 ment, or deployment of nuclear armed interceptors of a
22 missile defense system.

23 SEC. 8077. In addition to the amounts appropriated
24 or otherwise made available elsewhere in this Act,
25 \$44,000,000 is hereby appropriated to the Department of

1 Defense: *Provided*, That upon the determination of the
2 Secretary of Defense that it shall serve the national inter-
3 est, he shall make grants in the amounts specified as fol-
4 lows: \$20,000,000 to the United Service Organizations
5 and \$24,000,000 to the Red Cross.

6 SEC. 8078. None of the funds appropriated or made
7 available in this Act shall be used to reduce or disestablish
8 the operation of the 53rd Weather Reconnaissance Squad-
9 ron of the Air Force Reserve, if such action would reduce
10 the WC-130 Weather Reconnaissance mission below the
11 levels funded in this Act: *Provided*, That the Air Force
12 shall allow the 53rd Weather Reconnaissance Squadron to
13 perform other missions in support of national defense re-
14 quirements during the non-hurricane season.

15 SEC. 8079. None of the funds provided in this Act
16 shall be available for integration of foreign intelligence in-
17 formation unless the information has been lawfully col-
18 lected and processed during the conduct of authorized for-
19 eign intelligence activities: *Provided*, That information
20 pertaining to United States persons shall only be handled
21 in accordance with protections provided in the Fourth
22 Amendment of the United States Constitution as imple-
23 mented through Executive Order No. 12333.

24 SEC. 8080. (a) At the time members of reserve com-
25 ponents of the Armed Forces are called or ordered to ac-

1 tive duty under section 12302(a) of title 10, United States
2 Code, each member shall be notified in writing of the ex-
3 pected period during which the member will be mobilized.

4 (b) The Secretary of Defense may waive the require-
5 ments of subsection (a) in any case in which the Secretary
6 determines that it is necessary to do so to respond to a
7 national security emergency or to meet dire operational
8 requirements of the Armed Forces.

9 (INCLUDING TRANSFER OF FUNDS)

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

1 transfer authority provided by this section is in addition
2 to any other transfer authority provided elsewhere in this
3 Act.

4 SEC. 8082. For purposes of section 7108 of title 41,
5 United States Code, any subdivision of appropriations
6 made under the heading “Shipbuilding and Conversion,
7 Navy” that is not closed at the time reimbursement is
8 made shall be available to reimburse the Judgment Fund
9 and shall be considered for the same purposes as any sub-
10 division under the heading “Shipbuilding and Conversion,
11 Navy” appropriations in the current fiscal year or any
12 prior fiscal year.

13 SEC. 8083. (a) None of the funds appropriated by
14 this Act may be used to transfer research and develop-
15 ment, acquisition, or other program authority relating to
16 current tactical unmanned aerial vehicles (TUAVs) from
17 the Army.

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

23 SEC. 8084. Up to \$15,000,000 of the funds appro-
24 priated under the heading “Operation and Maintenance,
25 Navy” may be made available for the Asia Pacific Re-

1 gional Initiative Program for the purpose of enabling the
2 Pacific Command to execute Theater Security Cooperation
3 activities such as humanitarian assistance, and payment
4 of incremental and personnel costs of training and exer-
5 cising with foreign security forces: *Provided*, That funds
6 made available for this purpose may be used, notwith-
7 standing any other funding authorities for humanitarian
8 assistance, security assistance or combined exercise ex-
9 penses: *Provided further*, That funds may not be obligated
10 to provide assistance to any foreign country that is other-
11 wise prohibited from receiving such type of assistance
12 under any other provision of law.

13 SEC. 8085. None of the funds appropriated by this
14 Act for programs of the Office of the Director of National
15 Intelligence shall remain available for obligation beyond
16 the current fiscal year, except for funds appropriated for
17 research and technology, which shall remain available until
18 September 30, 2015.

19 SEC. 8086. For purposes of section 1553(b) of title
20 31, United States Code, any subdivision of appropriations
21 made in this Act under the heading “Shipbuilding and
22 Conversion, Navy” shall be considered to be for the same
23 purpose as any subdivision under the heading “Ship-
24 building and Conversion, Navy” appropriations in any

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

3 SEC. 8087. (a) Not later than 60 days after the date
4 of enactment of this Act, the Director of National Intel-
5 ligence shall submit a report to the congressional intel-
6 ligence committees to establish the baseline for application
7 of reprogramming and transfer authorities for fiscal year
8 2014: *Provided*, That the report shall include—

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 8088. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, \$20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8089. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that—

- (1) creates a new start effort;
- (2) terminates a program with appropriated funding of \$10,000,000 or more;
- (3) transfers funding into or out of the National Intelligence Program; or

1 (4) transfers funding between appropria-
2 tions,
3 unless the congressional intelligence committees are noti-
4 fied 30 days in advance of such reprogramming of funds;
5 this notification period may be reduced for urgent national
6 security requirements.

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

18 SEC. 8090. The Director of National Intelligence
19 shall submit to Congress each year, at or about the time
20 that the President's budget is submitted to Congress that
21 year under section 1105(a) of title 31, United States
22 Code, a future-years intelligence program (including asso-
23 ciated annexes) reflecting the estimated expenditures and
24 proposed appropriations included in that budget. Any such
25 future-years intelligence program shall cover the fiscal

1 year with respect to which the budget is submitted and
2 at least the four succeeding fiscal years.

3 SEC. 8091. For the purposes of this Act, the term
4 “congressional intelligence committees” means the Perma-
5 nent Select Committee on Intelligence of the House of
6 Representatives, the Select Committee on Intelligence of
7 the Senate, the Subcommittee on Defense of the Com-
8 mittee on Appropriations of the House of Representatives,
9 and the Subcommittee on Defense of the Committee on
10 Appropriations of the Senate.

11 SEC. 8092. The Department of Defense shall con-
12 tinue to report incremental contingency operations costs
13 for Operation Enduring Freedom, or any other named op-
14 erations in the U.S. Central Command area of operation
15 on a monthly basis in the Cost of War Execution Report
16 as prescribed in the Department of Defense Financial
17 Management Regulation Department of Defense Instruc-
18 tion 7000.14, Volume 12, Chapter 23 “Contingency Oper-
19 ations”, Annex 1, dated September 2005.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8093. During the current fiscal year, not to ex-
22 ceed \$11,000,000 from each of the appropriations made
23 in title II of this Act for “Operation and Maintenance,
24 Army”, “Operation and Maintenance, Navy”, and “Oper-
25 ation and Maintenance, Air Force” may be transferred by

1 the military department concerned to its central fund es-
2 tablished for Fisher Houses and Suites pursuant to sec-
3 tion 2493(d) of title 10, United States Code.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8094. Funds appropriated by this Act may be
6 available for the purpose of making remittances and trans-
7 fers to the Defense Acquisition Workforce Development
8 Fund in accordance with the requirements of section 1705
9 of title 10, United States Code.

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

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

17 (1) the public posting of the report com-
18 promises national security; or

19 (2) the report contains proprietary information.

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

24 SEC. 8096. (a) None of the funds appropriated or
25 otherwise made available by this Act may be expended for

1 any Federal contract for an amount in excess of
2 \$1,000,000, unless the contractor agrees not to—

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

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

23 (b) None of the funds appropriated or otherwise
24 made available by this Act may be expended for any Fed-
25 eral contract unless the contractor certifies that it requires

1 each covered subcontractor to agree not to enter into, and
2 not to take any action to enforce any provision of, any
3 agreement as described in paragraphs (1) and (2) of sub-
4 section (a), with respect to any employee or independent
5 contractor performing work related to such subcontract.
6 For purposes of this subsection, a “covered subcon-
7 tractor” is an entity that has a subcontract in excess of
8 \$1,000,000 on a contract subject to subsection (a).

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

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

1 States. The Secretary of Defense shall transmit to Con-
2 gress, and simultaneously make public, any determination
3 under this subsection not less than 15 business days be-
4 fore the contract or subcontract addressed in the deter-
5 mination may be awarded.

6 SEC. 8097. None of the funds made available under
7 this Act may be distributed to the Association of Commu-
8 nity Organizations for Reform Now (ACORN) or its sub-
9 sidiaries.

10 (INCLUDING TRANSFER OF FUNDS)

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

1 funds may be transferred from funds appropriated for op-
2 eration and maintenance for the Defense Health Program
3 to the Joint Department of Defense-Department of Vet-
4 erans Affairs Medical Facility Demonstration Fund upon
5 written notification by the Secretary of Defense to the
6 Committees on Appropriations of the House of Represent-
7 atives and the Senate.

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

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

19 SEC. 8101. Appropriations available to the Depart-
20 ment of Defense may be used for the purchase of heavy
21 and light armored vehicles for the physical security of per-
22 sonnel or for force protection purposes up to a limit of
23 \$250,000 per vehicle, notwithstanding price or other limi-
24 tations applicable to the purchase of passenger carrying
25 vehicles.

1 SEC. 8102. Of the amounts appropriated for “Oper-
2 ation and Maintenance, Defense-Wide” the following
3 amounts shall be available to the Secretary of Defense,
4 for the following authorized purposes, notwithstanding
5 any other provision of law, acting through the Office of
6 Economic Adjustment of the Department of Defense, to
7 make grants, concluded cooperative agreements, and sup-
8 plement other Federal funds, to remain available until ex-
9 pended, to support critical existing and enduring military
10 installation and missions on Guam, as well as any poten-
11 tial Department of Defense growth: (1) \$133,700,000 for
12 addressing the need for civilian water and wastewater im-
13 provements, and (2) \$12,868,000 for construction of a re-
14 gional public health laboratory: *Provided*, That the Sec-
15 retary of Defense shall, not fewer than 15 days prior to
16 obligating funds for either of the forgoing purposes, notify
17 the congressional defense committees in writing of the de-
18 tails of any such obligation.

19 SEC. 8103. None of the funds made available by this
20 Act may be used by the Secretary of Defense to take bene-
21 ficial occupancy of more than 2,500 parking spaces (other
22 than handicap-reserved spaces) to be provided by the
23 BRAC 133 project: *Provided*, That this limitation may be
24 waived in part if: (1) the Secretary of Defense certifies
25 to Congress that levels of service at existing intersections

1 in the vicinity of the project have not experienced failing
2 levels of service as defined by the Transportation Research
3 Board Highway Capacity Manual over a consecutive 90-
4 day period; (2) the Department of Defense and the Vir-
5 ginia Department of Transportation agree on the number
6 of additional parking spaces that may be made available
7 to employees of the facility subject to continued 90-day
8 traffic monitoring; and (3) the Secretary of Defense noti-
9 fies the congressional defense committees in writing at
10 least 14 days prior to exercising this waiver of the number
11 of additional parking spaces to be made available.

12 SEC. 8104. The Secretary of Defense shall report
13 quarterly the numbers of civilian personnel end strength
14 by appropriation account for each and every appropriation
15 account used to finance Federal civilian personnel salaries
16 to the congressional defense committees within 15 days
17 after the end of each fiscal quarter.

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

21 (1) separate the budget, accounts, or disburse-
22 ment system for the National Intelligence Program
23 from the budget, accounts, or disbursement system
24 for the Department of Defense; or

1 (2) consolidate the budget, accounts, or dis-
2 bursement system for the National Intelligence Pro-
3 gram within the budget, accounts, or disbursement
4 system for the Department of Defense.

5 (b) The activities prohibited under subsection (a) in-
6 clude—

7 (1) the study, planning, preparation, or submission
8 of a budget request that modifies the appropriations ac-
9 count structures as in effect on the date of the enactment
10 of this Act for any Department of Defense account con-
11 taining funds for the National Intelligence Program;

12 (2) the establishment of a new appropriations ac-
13 count for part or all of the National Intelligence Program;

14 (3) the study or implementation of a funds disburse-
15 ment system for the Office of the Director of National
16 Intelligence; and

17 (4) any other action to study, prepare, or submit a
18 budget request to Congress that includes any modifica-
19 tions prohibited by this section.

20 (c) In this section:

21 (1) The term “account” includes an appropria-
22 tions account.

23 (2) The term “disbursement system” includes
24 any system with accounting, cost accrual, fund dis-
25 tribution, or disbursement functions.

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

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8106. Upon a determination by the Director of
6 National Intelligence that such action is necessary and in
7 the national interest, the Director may, with the approval
8 of the Office of Management and Budget, transfer not to
9 exceed \$2,000,000,000 of the funds made available in this
10 Act for the National Intelligence Program: *Provided*, That
11 such authority to transfer may not be used unless for
12 higher priority items, based on unforeseen intelligence re-
13 quirements, than those for which originally appropriated
14 and in no case where the item for which funds are re-
15 quested has been denied by the Congress: *Provided further*,
16 That a request for multiple reprogrammings of funds
17 using authority provided in this section shall be made
18 prior to June 30, 2014.

19 SEC. 8107. None of the funds appropriated or other-
20 wise made available in this or any other Act may be used
21 to transfer, release, or assist in the transfer or release to
22 or within the United States, its territories, or possessions
23 Khalid Sheikh Mohammed or any other detainee who—
24 (1) is not a United States citizen or a member
25 of the Armed Forces of the United States; and

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

4 SEC. 8108. (a)(1) Except as provided in paragraph
5 (2) and subsection (d), none of the funds appropriated or
6 otherwise made available in this or any other Act may be
7 used to transfer any individual detained at Guantánamo
8 to the custody or control of the individual's country of ori-
9 gin, any other foreign country, or any other foreign entity
10 unless the Secretary of Defense submits to Congress the
11 certification described in subsection (b) not later than 30
12 days before the transfer of the individual.

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

20 (b) A certification described in this subsection is a
21 written certification made by the Secretary of Defense,
22 with the concurrence of the Secretary of State, and in con-
23 sultation with the Director of National Intelligence, that—

24 (1) the government of the foreign country or
25 the recognized leadership of the foreign entity to

1 which the individual detained at Guantánamo is to
2 be transferred—

3 (A) is not a designated state sponsor of
4 terrorism or a designated foreign terrorist orga-
5 nization;

6 (B) maintains control over each detention
7 facility in which the individual is to be detained
8 if the individual is to be housed in a detention
9 facility;

10 (C) is not, as of the date of the certifi-
11 cation, facing a threat that is likely to substan-
12 tially affect its ability to exercise control over
13 the individual;

14 (D) has taken or agreed to take effective
15 actions to ensure that the individual cannot
16 take action to threaten the United States, its
17 citizens, or its allies in the future;

18 (E) has taken or agreed to take such ac-
19 tions as the Secretary of Defense determines
20 are necessary to ensure that the individual can-
21 not engage or re-engage in any terrorist activ-
22 ity; and

23 (F) has agreed to share with the United
24 States any information that—

1 (i) is related to the individual or any
2 associates of the individual; and

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

5 (2) includes an assessment, in classified or un-
6 classified form, of the capacity, willingness, and past
7 practices (if applicable) of the foreign country or en-
8 tity in relation to the Secretary's certifications.

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

20 (2) Paragraph (1) shall not apply to any action taken
21 by the Secretary to transfer any individual detained at
22 Guantánamo to effectuate an order affecting the disposi-
23 tion of the individual that is issued by a court or com-
24 petent tribunal of the United States having lawful jurisdic-

1 tion (which the Secretary shall notify Congress of prompt-
2 ly after issuance).

3 (d)(1) The Secretary of Defense may waive the appli-
4 cability to a detainee transfer of a certification require-
5 ment specified in subparagraph (D) or (E) of subsection
6 (b)(1) or the prohibition in subsection (c), if the Secretary
7 certifies the rest of the criteria required by subsection (b)
8 for transfers prohibited by (c) and, with the concurrence
9 of the Secretary of State and in consultation with the Di-
10 rector of National Intelligence, determines that—

11 (A) alternative actions will be taken to address
12 the underlying purpose of the requirement or re-
13 quirements to be waived;

14 (B) in the case of a waiver of subparagraph (D)
15 or (E) of subsection (b)(1), it is not possible to cer-
16 tify that the risks addressed in the paragraph to be
17 waived have been completely eliminated, but the ac-
18 tions to be taken under subparagraph (A) will sub-
19 stantially mitigate such risks with regard to the indi-
20 vidual to be transferred;

21 (C) in the case of a waiver of subsection (c), the
22 Secretary has considered any confirmed case in
23 which an individual who was transferred to the
24 country subsequently engaged in terrorist activity,
25 and the actions to be taken under subparagraph (A)

1 will substantially mitigate the risk of recidivism with
2 regard to the individual to be transferred; and

3 (D) the transfer is in the national security in-
4 terests of the United States.

5 (2) Whenever the Secretary makes a determination
6 under paragraph (1), the Secretary shall submit to the ap-
7 propriate committees of Congress, not later than 30 days
8 before the transfer of the individual concerned, the fol-
9 lowing:

10 (A) A copy of the determination and the waiver
11 concerned.

12 (B) A statement of the basis for the determina-
13 tion, including—

14 (i) an explanation why the transfer is in
15 the national security interests of the United
16 States; and

17 (ii) in the case of a waiver of subparagraph
18 (D) or (E) of subsection (b)(1), an explanation
19 why it is not possible to certify that the risks
20 addressed in the paragraph to be waived have
21 been completely eliminated.

22 (C) A summary of the alternative actions to be
23 taken to address the underlying purpose of, and to
24 mitigate the risks addressed in, the paragraph or
25 subsection to be waived.

1 (D) The assessment required by subsection
2 (b)(2).

3 (e) In assessing the risk that an individual detained
4 at Guantánamo will engage in terrorist activity or other
5 actions that could affect the security of the United States
6 if released for the purpose of making a certification under
7 subsection (b) or a waiver under subsection (d), the Sec-
8 retary of Defense may give favorable consideration to any
9 such individual—

10 (1) who has substantially cooperated with
11 United States intelligence and law enforcement au-
12 thorities, pursuant to a pre- trial agreement, while
13 in the custody of or under the effective control of the
14 Department of Defense; and

15 (2) for whom agreements and effective mecha-
16 nisms are in place, to the extent relevant and nec-
17 essary, to provide for continued cooperation with
18 United States intelligence and law enforcement au-
19 thorities.

20 (f) In this section:

21 (1) The term “appropriate committees of Con-
22 gress” means—

23 (A) the Committee on Armed Services, the
24 Committee on Appropriations, and the Select
25 Committee on Intelligence of the Senate; and

1 (B) the Committee on Armed Services, the
2 Committee on Appropriations, and the Perma-
3 nent Select Committee on Intelligence of the
4 House of Representatives.

5 (2) The term “individual detained at
6 Guantánamo” means any individual located at
7 United States Naval Station, Guantánamo Bay,
8 Cuba, as of October 1, 2009, who—

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

12 (B) is—

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

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

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

22 SEC. 8109. (a) None of the funds appropriated or
23 otherwise made available in this or any other Act may be
24 used to construct, acquire, or modify any facility in the
25 United States, its territories, or possessions to house any

1 individual described in subsection (c) for the purposes of
2 detention or imprisonment in the custody or under the ef-
3 fective control of the Department of Defense.

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

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

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

13 (2) is—

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

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

18 SEC. 8110. None of the funds made available by this
19 Act may be used to enter into a contract, memorandum
20 of understanding, or cooperative agreement with, make a
21 grant to, or provide a loan or loan guarantee to, any cor-
22 poration that any unpaid Federal tax liability has been
23 assessed, for which all judicial and administrative rem-
24 edies have been exhausted or have lapsed, and that is not
25 being paid in a timely manner pursuant to an agreement

1 with the authority responsible for collecting the tax liabil-
2 ity, where the awarding agency is aware of the unpaid tax
3 liability, unless the agency has considered suspension or
4 debarment of the corporation and made a determination
5 that this further action is not necessary to protect the in-
6 terests of the Government.

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

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

24 SEC. 8113. None of the funds made available by this
25 Act for International Military education and training, for-

1 eign military financing, excess defense article, assistance
2 under section 1206 of the National Defense Authorization
3 Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat.
4 3456), issuance for direct commercial sales of military
5 equipment, or peacekeeping operations for the countries
6 of Chad, Yemen, Somalia, Sudan, the Democratic Repub-
7 lic of the Congo, and Burma may be used to support any
8 military training or operation that include child soldiers,
9 as defined by the Child Soldiers Prevention Act of 2008
10 (Public Law 110–457; 22 U.S.C. 2370c–1), and except
11 if such assistance is otherwise permitted under section 404
12 of the Child Soldiers Prevention Act of 2008.

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

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

20 SEC. 8116. The total amount available in the Act for
21 pay for civilian personnel of the Department of Defense
22 for fiscal year 2014 shall be the amount otherwise appro-
23 priated or made available by this Act for such pay reduced
24 by \$437,000,000.

1 SEC. 8117. None of the funds made available by this
2 Act may be used by the Department of Defense or any
3 other Federal agency to lease or purchase new light duty
4 vehicles, for any executive fleet, or for an agency's fleet
5 inventory, except in accordance with Presidential Memo-
6 randum-Federal Fleet Performance, dated May 24, 2011.

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

12 SEC. 8119. (a) LIMITATION.—None of the funds
13 made available by this Act for the Department of Defense
14 may be used for the purchase of any equipment from
15 Rosoboronexport until the Secretary of Defense certifies
16 in writing to the congressional defense committees that,
17 to the best of the Secretary's knowledge—

18 (1) Rosoboronexport is cooperating fully with
19 the Defense Contract Audit Agency;

20 (2) Rosoboronexport has not delivered S-300
21 advanced anti-aircraft missiles to Syria; and

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

25 (b) NATIONAL SECURITY WAIVER.—

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

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

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

18 (B) An explanation why comparable equip-
19 ment cannot be purchased from another cor-
20 poration.

21 (C) An assessment of the cooperation of
22 Rosoboronexport with the Defense Contract
23 Audit Agency.

24 (D) An assessment of whether and how
25 many S-300 advanced anti-aircraft missiles

1 have been delivered to the Assad regime by
2 Rosoboronexport.

3 (E) A list of the contracts that
4 Rosoboronexport has signed with the Assad re-
5 gime since January 1, 2013.

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

12 SEC. 8120. Section 8159(c) of the Department of De-
13 fense Appropriations Act, 2002 (division A of Public Law
14 107-117, 10 U.S.. 2401a note) is amended by striking
15 paragraph (7).

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

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 8122. In addition to amounts appropriated or
23 otherwise made available elsewhere in this Act,
24 \$25,000,000 is hereby appropriated to the Department of
25 Defense and made available for transfer to the Army, Air

1 Force, Navy, and Marine Corps, for purposes of imple-
2 mentation of a Sexual Assault Special Victims Program:
3 *Provided*, That funds transferred under this provision are
4 to be merged with and available for the same purposes
5 and time period as the appropriation to which transferred:
6 *Provided further*, That the transfer authority provided
7 under this heading is in addition to any other transfer au-
8 thority provided elsewhere in this Act.

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

19 SEC. 8124. None of the funds appropriated in this,
20 or any other Act, may be obligated or expended by the
21 United States Government for the direct personal benefit
22 of the President of Afghanistan.

23 SEC. 8125. None of the funds made available by this
24 Act may be used to eliminate or reduce funding for a pro-
25 gram, project or activity as proposed in the President's

1 budget request for fiscal year 2015 until such proposed
2 change is subsequently enacted in an appropriation Act,
3 or unless such change is made pursuant to the reprogram-
4 ming or transfer provisions of this Act.

5 (INCLUDING TRANSFER OF FUNDS)

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

12 TITLE IX
13 OVERSEAS DEPLOYMENTS AND OTHER
14 ACTIVITIES

15 MILITARY PERSONNEL

16 MILITARY PERSONNEL, ARMY

17 For an additional amount for “Military Personnel,
18 Army”, \$6,703,006,000: *Provided*, That such amount is
19 designated by the Congress for Overseas Contingency Op-
20 erations/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 MILITARY PERSONNEL, NAVY

24 For an additional amount for “Military Personnel,
25 Navy”, \$558,344,000: *Provided*, That such amount is des-

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

5 MILITARY PERSONNEL, MARINE CORPS

6 For an additional amount for “Military Personnel,
7 Marine Corps”, \$1,019,322,000: *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 MILITARY PERSONNEL, AIR FORCE

13 For an additional amount for “Military Personnel,
14 Air Force”, \$867,087,000: *Provided*, That such amount
15 is designated by the Congress for Overseas Contingency
16 Operations/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 RESERVE PERSONNEL, ARMY

20 For an additional amount for “Reserve Personnel,
21 Army”, \$40,952,000: *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 RESERVE PERSONNEL, NAVY

2 For an additional amount for “Reserve Personnel,
3 Navy”, \$20,238,000: *Provided*, That such amount is des-
4 ignated by the Congress for Overseas Contingency Oper-
5 ations/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, MARINE CORPS

9 For an additional amount for “Reserve Personnel,
10 Marine Corps”, \$15,134,000: *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, AIR FORCE

16 For an additional amount for “Reserve Personnel,
17 Air Force”, \$20,432,000: *Provided*, That such amount is
18 designated by the Congress for Overseas Contingency Op-
19 erations/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 NATIONAL GUARD PERSONNEL, ARMY

23 For an additional amount for “National Guard Per-
24 sonnel, Army”, \$393,364,000: *Provided*, That such
25 amount is designated by the Congress for Overseas Con-

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

4 NATIONAL GUARD PERSONNEL, AIR FORCE

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

11 OPERATION AND MAINTENANCE

12 OPERATION AND MAINTENANCE, ARMY

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

19 (INCLUDING TRANSFER OF FUNDS)

20 OPERATION AND MAINTENANCE, NAVY

21 For an additional amount for “Operation and Main-
 22 tenance, Navy”, \$6,255,993,000, of which up to
 23 \$227,033,000 may be transferred to the Coast Guard
 24 “Operating Expenses” account notwithstanding section
 25 2215 of title 10, United States Code: *Provided*, That such

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

5 OPERATION AND MAINTENANCE, MARINE CORPS

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

12 OPERATION AND MAINTENANCE, AIR FORCE

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

19 OPERATION AND MAINTENANCE, DEFENSE-WIDE

20 For an additional amount for “Operation and Main-
21 tenance, Defense-Wide”, \$6,240,437,000: *Provided*, That
22 of the funds provided under this heading, not to exceed
23 \$1,500,000,000, to remain available until September 30,
24 2015, shall be for payments to reimburse key cooperating
25 nations for logistical, military, and other support, includ-

1 ing access, provided to United States military operations
2 in support of Operation Enduring Freedom, and post-op-
3 eration Iraq border security related to the activities of the
4 Office of Security Cooperation in Iraq, notwithstanding
5 any other provision of law: *Provided further*, That such
6 reimbursement payments may be made in such amounts
7 as the Secretary of Defense, with the concurrence of the
8 Secretary of State, and in consultation with the Director
9 of the Office of Management and Budget, may determine,
10 in his discretion, based on documentation determined by
11 the Secretary of Defense to adequately account for the
12 support provided, and such determination is final and con-
13 clusive upon the accounting officers of the United States,
14 and 15 days following notification to the appropriate con-
15 gressional committees: *Provided further*, That the require-
16 ment under this heading to provide notification to the ap-
17 propriate congressional committees shall not apply with
18 respect to a reimbursement for access based on an inter-
19 national agreement: *Provided further*, That these funds
20 may be used for the purpose of providing specialized train-
21 ing and procuring supplies and specialized equipment and
22 providing such supplies and loaning such equipment on a
23 non-reimbursable basis to coalition forces supporting
24 United States military operations in Afghanistan, and 15
25 days following notification to the appropriate congres-

1 sional committees: *Provided further*, That the Secretary of
2 Defense shall provide quarterly reports to the congres-
3 sional defense committees on the use of funds provided
4 in this paragraph: *Provided further*, That of the funds pro-
5 vided under this heading, \$35,000,000 shall be made
6 available for support for foreign forces participating in op-
7 erations to counter the Lord's Resistance Army efforts:
8 *Provided further*, That such amount in this section is des-
9 ignated by the Congress for Overseas Contingency Oper-
10 ations/Global War on Terrorism pursuant to section
11 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 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, to remain available until September 30,
22 2015: *Provided*, That such funds shall be available to the
23 Secretary of Defense for infrastructure projects in Af-
24 ghanistan, notwithstanding any other provision of law,
25 which shall be undertaken by the Secretary of State, un-

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

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

1 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
2 anced Budget and Emergency Deficit Control Act of 1985.

3 AFGHANISTAN SECURITY FORCES FUND

4 (INCLUDING TRANSFER OF FUNDS)

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

1 the sources and amounts of the funds received and the
2 specific use of such contributions: *Provided further*, That
3 the Secretary of Defense shall, not fewer than 15 days
4 prior to obligating from this appropriation account, notify
5 the congressional defense committees in writing of the de-
6 tails of any such obligations: *Provided further*, That the
7 Secretary of Defense shall notify the congressional defense
8 committees of any proposed new projects or transfer of
9 funds between budget sub-activity groups in excess of
10 \$20,000,000: *Provided further*, That the United States
11 may accept equipment procured using funds provided
12 under this heading in this or prior Acts that was trans-
13 ferred to the security forces of Afghanistan and returned
14 by such forces to the United States: *Provided further*, That
15 the equipment described in the previous proviso, as well
16 as equipment not yet transferred to the security forces of
17 Afghanistan when determined by the Commander, Com-
18 bined Security Transition Command-Afghanistan, or the
19 Secretary's designee, to no longer be required for transfer
20 to such forces, may be treated as stocks of the Department
21 of Defense upon written notification to the congressional
22 defense committees: *Provided further*, That of the funds
23 provided under this heading, not less than \$47,300,000
24 shall be for recruitment and retention of women in the
25 Afghanistan National Security Forces: *Provided further*,

6 AIRCRAFT PROCUREMENT, ARMY

14 MISSILE PROCUREMENT, ARMY

22 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
23 VEHICLES, ARMY

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1 to remain available until September 30, 2015: *Provided*,
2 That such amount is designated by the Congress for Over-
3 seas Contingency Operations/Global War on Terrorism
4 pursuant to section 251(b)(2)(A)(ii) of the Balanced
5 Budget and Emergency Deficit Control Act of 1985.

6 PROCUREMENT OF AMMUNITION, ARMY

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

14 OTHER PROCUREMENT, ARMY

15 For an additional amount for “Other Procurement,
16 Army”, \$909,825,000, to remain available until Sep-
17 tember 30, 2016: *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 AIRCRAFT PROCUREMENT, NAVY

23 For an additional amount for “Aircraft Procurement,
24 Navy”, \$240,696,000, to remain available until September
25 30, 2016: *Provided*, That such amount is designated by

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

5 WEAPONS PROCUREMENT, NAVY

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

13 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
14 CORPS

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

22 OTHER PROCUREMENT, NAVY

23 For an additional amount for “Other Procurement,
24 Navy”, \$17,968,000, to remain available until September
25 30, 2016: *Provided*, That such amount is designated by

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

5 PROCUREMENT, MARINE CORPS

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

13 AIRCRAFT PROCUREMENT, AIR FORCE

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

21 MISSILE PROCUREMENT, AIR FORCE

22 For an additional amount for “Missile Procurement,
23 Air Force”, \$24,200,000, to remain available until Sep-
24 tember 30, 2016: *Provided*, That such amount is des-
25 ignated by the Congress for Overseas Contingency Oper-

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

4 PROCUREMENT OF AMMUNITION, AIR FORCE

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

12 OTHER PROCUREMENT, AIR FORCE

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

20 PROCUREMENT, DEFENSE-WIDE

21 For an additional amount for “Procurement, De-
22 fense-Wide”, \$128,947,000, to remain available until Sep-
23 tember 30, 2016: *Provided*, That such amount is des-
24 ignated by the Congress for Overseas Contingency Oper-
25 ations/Global War on Terrorism pursuant to section

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

3 NATIONAL GUARD AND RESERVE EQUIPMENT

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 \$1,500,000,000, to remain available for obligation until
8 September 30, 2016: *Provided*, That the Chiefs of Na-
9 tional Guard and Reserve components shall, not later than
10 30 days after the enactment of this Act, individually sub-
11 mit to the congressional defense committees the mod-
12 ernization priority assessment for their respective Na-
13 tional Guard or Reserve component: *Provided further*,
14 That such amount is designated by the Congress for Over-
15 seas Contingency Operations/Global War on Terrorism
16 pursuant to section 251(b)(2)(A)(ii) of the Balanced
17 Budget and Emergency 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”, \$7,000,000, to remain
24 available until September 30, 2015: *Provided*, That such
25 amount is designated by the Congress for Overseas Con-

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

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, \$9,000,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for “Research, Develop-
ment, Test and Evaluation, Defense-Wide”, \$66,208,000,

1 to remain available until September 30, 2015: *Provided*,
2 That such amount is designated by the Congress for Over-
3 seas Contingency Operations/Global War on Terrorism
4 pursuant to section 251(b)(2)(A)(ii) of the Balanced
5 Budget and Emergency Deficit Control Act of 1985.

6 REVOLVING AND MANAGEMENT FUNDS

7 DEFENSE WORKING CAPITAL FUNDS

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

14 OTHER DEPARTMENT OF DEFENSE PROGRAMS

15 DEFENSE HEALTH PROGRAM

16 For an additional amount for “Defense Health Pro-
17 gram”, \$904,201,000, which shall be for operation and
18 maintenance: *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.

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
2 DEFENSE

3 For an additional amount for “Drug Interdiction and
4 Counter-Drug Activities, Defense”, \$376,305,000, to re-
5 main available until September 30, 2015: *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 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND
11 (INCLUDING TRANSFER OF FUNDS)

12 For the “Joint Improvised Explosive Device Defeat
13 Fund”, \$1,000,000,000, to remain available until Sep-
14 tember 30, 2016: *Provided*, That such funds shall be avail-
15 able to the Secretary of Defense, notwithstanding any
16 other provision of law, for the purpose of allowing the Di-
17 rector of the Joint Improvised Explosive Device Defeat
18 Organization to investigate, develop and provide equip-
19 ment, supplies, services, training, facilities, personnel and
20 funds to assist United States forces in the defeat of impro-
21 vised explosive devices: *Provided further*, That the Sec-
22 retary of Defense may transfer funds provided herein to
23 appropriations for military personnel; operation and main-
24 tenance; procurement; research, development, test and
25 evaluation; and defense working capital funds to accom-

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

12 OFFICE OF THE INSPECTOR GENERAL

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

19 GENERAL PROVISIONS—THIS TITLE

20 SEC. 9001. Notwithstanding any other provision of
21 law, funds made available in this title are in addition to
22 amounts appropriated or otherwise made available for the
23 Department of Defense for fiscal year 2014.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2014.

SEC. 9003. Supervision and administration costs and costs for design during construction associated with a construction project funded with appropriations available for operation and maintenance, “Afghanistan Infrastructure Fund”, or the “Afghanistan Security Forces Fund” provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and

1 administration costs and costs for design during construc-
2 tion include all in-house Government costs.

3 SEC. 9004. From funds made available in this title,
4 the Secretary of Defense may purchase for use by military
5 and civilian employees of the Department of Defense in
6 the U.S. Central Command area of responsibility: (a) pas-
7 senger motor vehicles up to a limit of \$75,000 per vehicle;
8 and (b) heavy and light armored vehicles for the physical
9 security of personnel or for force protection purposes up
10 to a limit of \$250,000 per vehicle, notwithstanding price
11 or other limitations applicable to the purchase of pas-
12 senger carrying vehicles.

13 SEC. 9005. Not to exceed \$60,000,000 of the amount
14 appropriated by this Act under the heading “Operation
15 and Maintenance, Army” may be used, notwithstanding
16 any other provision of law, to fund the Commander’s
17 Emergency Response Program (CERP), for the purpose
18 of enabling military commanders in Afghanistan to re-
19 spond to urgent, small-scale, humanitarian relief and re-
20 construction requirements within their areas of responsi-
21 bility: *Provided*, That each project (including any ancillary
22 or related elements in connection with such project) exe-
23 cuted under this authority shall not exceed \$20,000,000:
24 *Provided further*, That not later than 45 days after the
25 end of each fiscal year quarter, the Secretary of Defense

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

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

22 (2) The budget, implementation timeline with
23 milestones, and completion date for the proposed
24 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. 9006. 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: *Provided*,
16 That the Secretary of Defense shall provide quarterly re-
17 ports to the congressional defense committees regarding
18 support provided under this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

22 SEC. 9012. From funds made available to the De-
23 partment of Defense by this Act under the heading “Oper-
24 ation and Maintenance, Air Force” up to \$209,000,000
25 may be used by the Secretary of Defense, notwithstanding

1 any other provision of law, to support United States Gov-
2 ernment transition activities in Iraq by funding the oper-
3 ations and activities of the Office of Security Cooperation
4 in Iraq and security assistance teams, including life sup-
5 port, transportation and personal security, and facilities
6 renovation and construction, and site closeout activities
7 prior to returning sites to the Government of Iraq: *Pro-*
8 *vided*, That to the extent authorized under the National
9 Defense Authorization Act for Fiscal Year 2014, the oper-
10 ations and activities that may be carried out by the Office
11 of Security Cooperation in Iraq may, with the concurrence
12 of the Secretary of State, include non-operational training
13 activities in support of Iraqi Ministry of Defense and
14 Counter Terrorism Service personnel in an institutional
15 environment to address capability gaps, integrate proc-
16 esses relating to intelligence, air sovereignty, combined
17 arms, logistics and maintenance, and to manage and inte-
18 grate defense-related institutions: *Provided further*, That
19 not later than 30 days following the enactment of this Act,
20 the Secretary of Defense and the Secretary of State shall
21 submit to the congressional defense committees a plan for
22 transitioning any such training activities that they deter-
23 mine are needed after the end of fiscal year 2013, to exist-
24 ing or new contracts for the sale of defense articles or
25 defense services consistent with the provisions of the Arms

1 Export Control Act (22 U.S.C. 2751 et seq.): *Provided*
 2 *further*, That not less than 15 days before making funds
 3 available pursuant to the authority provided in this sec-
 4 tion, the Secretary of Defense shall submit to the congres-
 5 sional defense committees a written notification containing
 6 a detailed justification and timeline for the operations and
 7 activities of the Office of Security Cooperation in Iraq at
 8 each site where such operations and activities will be con-
 9 ducted during fiscal year 2013.

10 (RESCISSIONS)

11 SEC. 9013.

12 Of the funds appropriated in Department of Defense
 13 Appropriations Acts, the following funds are hereby re-
 14 scinded from the following account in the specified
 15 amount: *Provided*, That such amount is designated by the
 16 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:

20 “General Provisions, 2009/XXXX”,
 21 \$46,022,000.

22 SEC. 9014. (a) None of the funds appropriated or
 23 otherwise made available by this Act under the heading
 24 “Operation and Maintenance, Defense-Wide” for pay-
 25 ments under section 1233 of Public Law 110–181 for re-

1 imbursement to the Government of Pakistan may be made
2 available unless the Secretary of Defense, in coordination
3 with the Secretary of State, certifies to the Committees
4 on Appropriations that the Government of Pakistan is—

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

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

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

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

24 (5) implementing policies to protect judicial
25 independence and due process of law;

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

4 (7) providing humanitarian organizations access
5 to detainees, internally displaced persons, and other
6 Pakistani civilians affected by the conflict.

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

20 TITLE X—ADDITIONAL GENERAL PROVISIONS

21 SPENDING REDUCTION ACCOUNT

22 SEC. 10001. The amount by which the applicable al-
23 location of new budget authority made by the Committee
24 on Appropriations of the House of Representatives under
25 section 302(b) of the Congressional Budget Act of 1974

1 exceeds the amount of proposed new budget authority is
2 \$0.

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

Union Calendar No. 81

113TH CONGRESS
1ST Session

H. R. 2397

[Report No. 113-113]

A BILL

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

JUNE 17, 2013

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed