

# A BILL

To authorize appropriations for fiscal year 2019 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

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

## 3   **SECTION 1. SHORT TITLE.**

4           This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2019”.

## 5   **SEC. 2. TABLE OF CONTENTS.**

6           (a) DIVISIONS.—This Act is organized into two divisions as follows:

7                   (1) DIVISION A.—Department of Defense Authorizations.

8                   (2) DIVISION B.—[Reserved].

9           (b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of Contents.

### DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

#### TITLE I—PROCUREMENT

Sec. 101. Army.

Sec. 102. Navy and Marine Corps.

Sec. 103. Air Force.

Sec. 104. Defense-wide activities.

Sec. 105. Defense production act purchases.

#### TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 201. Authorization of appropriations.

#### TITLE III—OPERATION AND MAINTENANCE

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Sec. 301. Operation and maintenance funding.

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#### TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

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##### Subtitle B—Reserve Forces

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Sec. 412. End strengths for reserves on active duty in support of the reserves.

Sec. 413. End strengths for military technicians (dual status).

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Sec. 502. Authority for officers to opt out of promotion board consideration.

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Sec. 511. Authority to designate certain reserve officers as not to be considered for selection for promotion.

Sec. 512. Removal of the active duty prohibition for members of the Army Reserve Forces Policy Committee.

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Sec. 533. Clarification regarding military orders required for termination of leases pursuant to the Servicemembers Civil Relief Act.

Sec. 534. Department of Defense Military Family Readiness Council.

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#### TITLE VI— COMPENSATION AND OTHER PERSONNEL BENEFITS

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#### TITLE VII—[RESERVED]

TITLE VIII—[RESERVED]

TITLE IX—[RESERVED]

TITLE X—GENERAL PROVISIONS

- Sec. 1001. Clarification of inspector general authorities concerning overseas contingency operations.
- Sec. 1002. Repeal of duplicative airlift service provision.
- Sec. 1003. Technical corrections relating to defense security cooperation statutory reorganization.

TITLE XI—CIVILIAN PERSONNEL MATTERS

- Sec. 1101. Employment authority for civilian faculty at certain military department schools.
- Sec. 1102. Civil service mariners of Military Sealift Command: alcohol testing.
- Sec. 1103. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.
- Sec. 1104. Eligibility of DOD employees in time-limited appointments to compete for permanent appointments.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

- Sec. 1201. Revision of statutory references to former NATO support organizations and related NATO agreements.
- Sec. 1202. Availability of appropriations for Ri'katak Guest Student Program at United States Army Garrison—Kwajalein Atoll.

TITLE XIII—[RESERVED]

TITLE XIV—OTHER AUTHORIZATIONS

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- Sec. 1401. Working capital funds.
- Sec. 1402. Joint urgent operational needs fund.
- Sec. 1403. Chemical agents and munitions destruction, defense.
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- Sec. 1406. Defense health program.

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- Sec. 1411. Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs medical facility demonstration fund for Captain James A. Lovell Health Care Center, Illinois.
- Sec. 1412. Authorization of appropriations for Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

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- Sec. 1509. Working Capital Funds.

Sec. 1510. Defense Health Program.  
Sec. 1511. Drug Interdiction and Counter-Drug Activities, Defense-Wide.  
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TITLE XVI—[RESERVED]

DIVISION B—[RESERVED]

1           **DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

2                           **TITLE I—PROCUREMENT**

3   **SEC. 101. ARMY.**

4           Funds are hereby authorized to be appropriated for fiscal year 2019 for procurement for  
5 the Army as follows:

6                   (1) For aircraft, \$3,782,558,000.

7                   (2) For missiles, \$3,355,777,000.

8                   (3) For weapons and tracked combat vehicles, \$4,489,118,000.

9                   (4) For ammunition, \$2,234,761,000.

10                  (5) For other procurement, \$7,999,529,000.

11 **SEC. 102. NAVY AND MARINE CORPS.**

12           Funds are hereby authorized to be appropriated for fiscal year 2019 for procurement for  
13 the Navy and Marine Corps as follows:

14                  (1) For aircraft, \$19,041,799,000.

15                  (2) For weapons, including missiles and torpedoes, \$3,702,393,000.

16                  (3) For ammunition procurement, Navy and Marine Corps, \$1,006,209,000.

17                  (4) For shipbuilding and conversion, \$21,871,437,000.

18                  (5) For other procurement, \$9,414,355,000.

19                  (6) For procurement, Marine Corps, \$2,860,410,000.

20 **SEC. 103. AIR FORCE.**

1 Funds are hereby authorized to be appropriated for fiscal year 2019 for procurement for  
2 the Air Force as follows:

3 (1) For aircraft, \$16,206,937,000.

4 (2) For missiles, \$2,669,454,000.

5 (3) For space procurement, \$2,527,542,000.

6 (4) For ammunition, \$1,587,304,000.

7 (5) For other procurement, \$20,890,164,000.

8 **SEC. 104. DEFENSE-WIDE ACTIVITIES.**

9 Funds are hereby authorized to be appropriated for fiscal year 2019 for Defense-wide  
10 procurement in the amount of \$6,786,271,000.

11 **SEC. 105. DEFENSE PRODUCTION ACT PURCHASES.**

12 Funds are hereby authorized to be appropriated for fiscal year 2019 for purchases under  
13 the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) in the amount of \$38,578,000.

14 **TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

15 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

16 Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the  
17 Department of Defense for research, development, test, and evaluation as follows:

18 (1) For the Army, \$10,159,379,000.

19 (2) For the Navy, \$18,481,666,000.

20 (3) For the Air Force, \$40,178,343,000.

21 (4) For Defense-wide activities, \$22,016,553,000.

22 (5) For the Director of Operational Test and Evaluation, \$221,009,000.

23 **TITLE III—OPERATION AND MAINTENANCE**



1 (18) For Overseas Humanitarian, Disaster, and Civic Aid programs,  
2 \$107,663,000.

3 (19) For Cooperative Threat Reduction programs, \$335,240,000.

4 (20) For Department of Defense Acquisition Workforce Development Fund,  
5 \$400,000,000.

## 6 **Subtitle B—Logistics and Sustainment**

### 7 **SEC. 311. REVISIONS TO DEFINITION OF DEPOT-LEVEL MAINTENANCE AND** 8 **REPAIR.**

9 Section 2460 of title 10, United States Code, is amended—

10 (1) in subsection (a), by striking “classified by the Department of Defense as of  
11 July 1, 1995, as depot-level maintenance and repair” and inserting “for fielded software  
12 to correct faults, improve performance or other attributes, or adapt the product to a  
13 modified environment (including requirements definition, design, coding, integration and  
14 test, and all other software engineering-related activities)”; and

15 (2) in subsection (b)(1)—

16 (A) by striking “performance or the nuclear” and inserting “performance,  
17 the nuclear”; and

18 (B) by striking “overhaul” and inserting “overhaul, or repair of vessels of  
19 the Military Sealift Command that perform non-combat missions”.

## 20 **TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS**

### 21 **Subtitle A—Active Forces**

#### 22 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**



1 (2) the total number of individual members not in units organized to serve as units  
2 of the Selected Reserve of such component who are on active duty (other than for  
3 training or for unsatisfactory participation in training) without their consent at the end of  
4 the fiscal year.

5 (c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected  
6 Reserve for any reserve component are released from active duty during any fiscal year, the end  
7 strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall  
8 be increased proportionately by the total authorized strengths of such units and by the total  
9 number of such individual members.

10 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF**  
11 **THE RESERVES.**

12 Within the end strengths prescribed in section 411(a), the reserve components of the  
13 Armed Forces are authorized, as of September 30, 2019, the following number of Reserves to be  
14 serving on full-time active duty or full-time duty, in the case of members of the National Guard,  
15 for the purpose of organizing, administering, recruiting, instructing, or training the reserve  
16 components:

17 (1) The Army National Guard of the United States, 30,595.

18 (2) The Army Reserve, 16,386.

19 (3) The Navy Reserve, 10,110.

20 (4) The Marine Corps Reserve, 2,261.

21 (5) The Air National Guard of the United States, 19,861.

22 (6) The Air Force Reserve, 3,849.

23 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).**

1           The minimum number of military technicians (dual status) as of the last day of fiscal year  
2 2019 for the reserve components of the Army and the Air Force (notwithstanding section 129 of  
3 title 10, United States Code) shall be the following:

4           (1) For the Army National Guard of the United States, 22,294.

5           (2) For the Army Reserve, 7,495.

6           (3) For the Air National Guard of the United States, 18,969.

7           (4) For the Air Force Reserve, 9,908.

8           **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE**  
9           **ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.**

10          During fiscal year 2019, the maximum number of members of the reserve components of  
11 the Armed Forces who may be serving at any time on full-time operational support duty under  
12 section 115(b) of title 10, United States Code, is the following:

13          (1) The Army National Guard of the United States, 17,000.

14          (2) The Army Reserve, 13,000.

15          (3) The Navy Reserve, 6,200.

16          (4) The Marine Corps Reserve, 3,000.

17          (5) The Air National Guard of the United States, 16,000.

18          (6) The Air Force Reserve, 14,000.

19                           **Subtitle C—Authorization of Appropriations**

20           **SEC. 421. MILITARY PERSONNEL.**

21          There is hereby authorized to be appropriated for military personnel for fiscal year 2019 a  
22 total of \$140,689,301,000.

23                           **TITLE V—MILITARY PERSONNEL POLICY**

1                                   **Subtitle A—Officer Personnel Policy Generally**

2   **SEC. 501. REVISION TO MANAGEMENT POLICIES FOR JOINT QUALIFIED**  
3                                   **OFFICERS.**

4                   Section 661(d)(3)(B) of title 10, United States Code, is amended in the third sentence by  
5 inserting “or a designee of the Chairman” before the period.

6   **SEC. 502. AUTHORITY FOR OFFICERS TO OPT OUT OF PROMOTION BOARD**  
7                                   **CONSIDERATION.**

8                   (a) ACTIVE-DUTY LIST OFFICERS.—Section 619 of title 10, United States Code, is  
9 amended—

10                                   (1) in subsection (d), by adding at the end the following new paragraph:

11                                   “(6) An officer excluded under subsection (e).”; and

12                                   (2) by adding at the end the following new subsection:

13                                   “(e) **AUTHORITY TO ALLOW OFFICERS TO OPT OUT OF SELECTION BOARD**

14 **CONSIDERATION.**—(1) The Secretary of Defense may authorize the Secretary of a military  
15 department to provide that an officer under the jurisdiction of that Secretary may, upon the  
16 officer’s request and with the approval of the Secretary concerned, be excluded from  
17 consideration by a selection board convened under section 611(a) of this title to consider officers  
18 for promotion to the next higher grade.

19                                   “(2) The Secretary concerned may only approve such a request if—

20                                   “(A) the basis for the request is to allow an officer to complete a broadening  
21 assignment, advanced education, another assignment of significant value to the  
22 Department, or a career progression requirement delayed by the assignment or education;

1           “(B) the Secretary concerned determines the exclusion from consideration is in  
2 the best interest of the military department concerned; and

3           “(C) the officer has not previously failed of selection for promotion to the grade  
4 for which the officer requests the exclusion from consideration.”.

5 (b) RESERVE ACTIVE-STATUS LIST OFFICERS.—Section 14301 of such title is amended—

6           (1) in subsection (c)—

7                   (A) in the subsection heading, by striking “PREVIOUSLY SELECTED  
8 OFFICERS NOT ELIGIBLE” and inserting “CERTAIN OFFICERS NOT”; and

9                   (B) by adding at the end the following new paragraph:

10                   “(6) An officer excluded under subsection (j).”; and

11           (2) by adding at the end the following new subsection:

12           “(j) AUTHORITY TO ALLOW OFFICERS TO OPT OUT OF SELECTION BOARD  
13 CONSIDERATION.—(1) The Secretary of Defense may authorize the Secretary of a military  
14 department to provide that an officer under the jurisdiction of that Secretary may, upon the  
15 officer’s request and with the approval of the Secretary concerned, be excluded from  
16 consideration by a selection board convened under section 14101(a) of this title to consider  
17 officers for promotion to the next higher grade.

18           “(2) The Secretary concerned may only approve such a request if—

19                   “(A) the basis for the request is to allow an officer to complete a broadening  
20 assignment, advanced education, another assignment of significant value to the  
21 Department, or a career progression requirement delayed by the assignment or education;

22                   “(B) the Secretary concerned determines the exclusion from consideration is in  
23 the best interest of the military department concerned; and

1           “(C) the officer has not previously failed of selection for promotion to the grade  
2           for which the officer requests the exclusion from consideration.”.

3                           **Subtitle B—Reserve Component Management**

4   **SEC. 511. AUTHORITY TO DESIGNATE CERTAIN RESERVE OFFICERS AS NOT**  
5                           **TO BE CONSIDERED FOR SELECTION FOR PROMOTION.**

6           Section 14301 of title 10, United States Code, is amended by adding at the end the  
7   following new subsection:

8           “(j) CERTAIN OFFICERS NOT TO BE CONSIDERED FOR SELECTION FOR PROMOTION.—The  
9   Secretary of the military department concerned may provide that an officer who is in an active  
10   status, but is in a duty status in which the only points the officer accrues under section  
11   12732(a)(2) of this title are pursuant to subparagraph (C)(i) of that section (relating to  
12   membership in a reserve component), shall not be considered for selection for promotion until  
13   completion of two years of service in such duty status. Any such officer may remain on the  
14   reserve active-status list.”.

15   **SEC. 512. REMOVAL OF THE ACTIVE DUTY PROHIBITION FOR MEMBERS OF**  
16                           **THE ARMY RESERVE FORCES POLICY COMMITTEE.**

17           Section 10302 of title 10, United States Code, is amended—

18                   (1) in subsection (b), by striking “not on active duty” each place it appears; and

19                   (2) in subsection (c)—

20                           (A) by inserting “of the reserve components” after “among the members”;

21                   and

22                           (B) by striking “not on active duty”.

1 **Subtitle C—Member Transition**

2 **SEC. 521. REPEAL OF PROGRAM FOR ENCOURAGEMENT OF POSTSEPARATION**  
3 **PUBLIC AND COMMUNITY SERVICE.**

4 (a) REPEAL.—Section 1143a of title 10, United States Code, is repealed.

5 (b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 58 of title  
6 10, United States Code, is amended by striking the item relating to section 1143a.

7 (c) CONFORMING AMENDMENTS.—Section 1144(b) of title 10, United States Code, is  
8 amended—

9 (1) by striking paragraph (8); and

10 (2) by redesignating paragraphs (9), (10), and (11) as paragraphs (8), (9), and  
11 (10), respectively.

12 **SEC. 522. CORRECTION TO MENTAL HEALTH ASSESSMENT REQUIREMENTS**  
13 **FOR MEMBERS AFTER DISCHARGE.**

14 Section 1074m of title 10, United States Code, is amended—

15 (1) in subsection (a)(1)(C) by striking “Once” and inserting “Subject to  
16 subsection (d), once”; and

17 (2) in subsection (d) by inserting “or (a)(1)(D)” after “subsection (a)(1)(C)”.

18 **Subtitle D—Defense Dependents’ Education and Military Family Readiness**  
19 **Matters**

20 **SEC. 531. CLARIFICATION OF REQUIREMENTS FOR RESIDENCE AND**  
21 **DOMICILE TAX RELIEF UNDER THE SERVICEMEMBERS CIVIL**  
22 **RELIEF ACT.**

1 Section 511(g)(3) of the Servicemembers Civil Relief Act (50 U.S.C. 4001(g)(3)) is  
2 amended by adding at the end the following new sentence: “The State or political subdivision  
3 where the servicemember is serving in compliance with military orders includes any State or  
4 political subdivision within 150 miles of the servicemember’s assigned duty location.”.

5 **SEC. 532. EXPANSION OF PERSONAL PROPERTY TAX RELIEF FOR**  
6 **SERVICEMEMBERS.**

7 Paragraph (1) of section 511(d) of the Servicemembers Civil Relief Act (50 U.S.C.  
8 4001(d)) is amended—

9 (1) by inserting “, whether leased or owned,” after “spouse of a servicemember”;

10 and

11 (2) by adding at the end the following: “The relief from personal property taxes  
12 extends to a servicemember or the spouse of a servicemember who leases a motor  
13 vehicle, as well as to a lessor who leases a motor vehicle to the servicemember or spouse.  
14 When a servicemember or the spouse of the servicemember leases a motor vehicle, the  
15 leased motor vehicle shall not be deemed to be located or present in, or have a situs for  
16 taxation in, the tax jurisdiction in which the servicemember is serving in compliance with  
17 military orders unless the servicemember or spouse has adopted that tax jurisdiction as  
18 the legal residence of the servicemember or spouse, respectively.”.

19 **SEC. 533. CLARIFICATION REGARDING MILITARY ORDERS REQUIRED FOR**  
20 **TERMINATION OF LEASES PURSUANT TO THE SERVICEMEMBERS**  
21 **CIVIL RELIEF ACT.**

22 (a) COVERED LEASES.—Subsection (b) of section 305 of the Servicemembers Civil Relief  
23 Act (50 U.S.C. 3955) is amended—

1 (1) in paragraph (1)(B), by striking “military orders” and all that follows through  
2 the period and inserting “military orders—

3 “(i) for a permanent change of station, which includes orders for  
4 separation or retirement; or

5 “(ii) to deploy with a military unit, or as an individual in support of  
6 a military operation, for a period of not less than 90 days.”; and

7 (2) in the matter preceding subclause (I) of paragraph (2)(B)(i), by striking  
8 “change of permanent station” and inserting “permanent change of station, which  
9 includes orders for separation or retirement”.

10 (b) TERMINATION BY LESSEE—Subsection (a) of such section is amended by adding the  
11 following new paragraph:

12 “(3) RETIREMENT OR SEPARATION ORDERS.—A servicemember who receives  
13 orders for separation or retirement—

14 “(A) may terminate a lease in accordance with this subsection; and

15 “(B) shall not be required to relocate to the location listed in the  
16 servicemember’s retirement or separation orders in order to terminate the lease.”.

17 (c) DEFINITIONS.—Subsection (i)(1) of such section is amended by inserting “including  
18 orders for separation or retirement,” after “official military orders,”.

## 19 **SEC. 534. DEPARTMENT OF DEFENSE MILITARY FAMILY READINESS**

### 20 **COUNCIL.**

21 (a) MEMBERSHIP.—Section 1781a(b)(1)(B) of title 10, United States Code, is amended—

22 (1) in clause (i), by striking “a member of the armed force to be represented” and  
23 inserting “a member or civilian employee of the armed force to be represented”; and

1 (2) by striking clause (ii) and inserting the following:

2 “(ii) One representative, who shall be a member or civilian employee of  
3 the National Guard Bureau, to represent both the Army National Guard and the  
4 Air National Guard.”.

5 (b) TERMS.—Section 1781a(b)(2) of title 10, United States Code, is amended—

6 (1) in subparagraph (A)—

7 (A) in the first sentence, by striking “clauses (i) and (iii) of”; and

8 (B) by striking the second sentence; and

9 (2) in subparagraph (B), by striking “three years” and inserting “two years”.

10 (c) DUTIES.—Section 1781a(d) of title 10, United States Code, is amended—

11 (1) in paragraph (2), by striking “military family readiness by the Department of  
12 Defense” and inserting “military family readiness programs and activities of the  
13 Department of Defense”; and

14 (2) by adding at the end the following new paragraph:

15 “(4) To make recommendations to the Secretary of Defense to improve  
16 collaboration, awareness, and promotion of accurate and timely military family readiness  
17 information and support services by policy makers, service providers, and targeted  
18 beneficiaries.”.

19 (d) ANNUAL REPORTS.—Section 1781a(e)(1) of title 10, United States Code, is amended  
20 by striking “February 1” and inserting “July 1”.

21 (e) APPLICABILITY.—The amendments made by this section shall apply to members of  
22 the Defense Military Family Readiness Council appointed after the date of enactment of this Act.

1 **Subtitle E—Decorations and Awards**

2 **SEC. 541. STANDARDIZATION OF HONORABLE SERVICE REQUIREMENT FOR**  
3 **AWARD OF MILITARY DECORATIONS.**

4 (a) HONORABLE SERVICE REQUIREMENT.—

5 (1) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by  
6 adding at the end the following:

7 **“§ 1135a. Honorable service requirement for award of military decorations**

8 “No military decoration, including a medal, cross, or bar, or an associated emblem or  
9 insignia, may be awarded or presented to any person, or to a representative of the person, if the  
10 service of the person after the person distinguished himself or herself has not been honorable.”.

11 (2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57  
12 of title 10, United States Code, is amended by adding at the end the following:

“1135a. Honorable service requirement for award of military decorations.”.

13 (b) CONFORMING AMENDMENTS.—Title 10, United States Code, is amended—

14 (1) in section 3744—

15 (A) in subsection (b) in the matter preceding paragraph (1), by striking

16 “subsection (d)” and inserting “subsection (c)”;

17 (B) by striking subsection (c); and

18 (C) by redesignating subsection (d) as subsection (c);

19 (2) by striking section 6249 and the item relating to that section in the table of  
20 sections at the beginning of chapter 567;

21 (3) in section 8744—

1 (A) in subsection (b) in the matter preceding paragraph (1), by striking  
2 “subsection (d)” and inserting “subsection (c)”;  
3 (B) by striking subsection (c); and  
4 (C) by redesignating subsection (d) as subsection (c); and  
5 (4) in section 8749, by striking subsection (c).

6 **TITLE VI— COMPENSATION AND OTHER PERSONNEL BENEFITS**

7 **SEC. 601. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL**  
8 **PAY AUTHORITIES.**

9 (a) **AUTHORITIES RELATING TO RESERVE FORCES.**—Section 910(g) of title 37, United  
10 States Code, relating to income replacement payments for reserve component members  
11 experiencing extended and frequent mobilization for active duty service, is amended by striking  
12 “December 31, 2018” and inserting “December 31, 2019”.

13 (b) **TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.**—The following  
14 sections of title 10, United States Code, are amended by striking “December 31, 2018” and  
15 inserting “December 31, 2019”:

16 (1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

17 (2) Section 16302(d), relating to repayment of education loans for certain health  
18 professionals who serve in the Selected Reserve.

19 (c) **AUTHORITIES RELATING TO NUCLEAR OFFICERS.**—Section 333(i) of title 37, United  
20 States Code, is amended by striking “December 31, 2018” and inserting “December 31, 2019”.

21 (d) **AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY,**  
22 **AND BONUS AUTHORITIES.**—The following sections of title 37, United States Code, are amended  
23 by striking “December 31, 2018” and inserting “December 31, 2019”:

1 (1) Section 331(h), relating to general bonus authority for enlisted members.

2 (2) Section 332(g), relating to general bonus authority for officers.

3 (3) Section 334(i), relating to special aviation incentive pay and bonus authorities  
4 for officers.

5 (4) Section 335(k), relating to special bonus and incentive pay authorities for  
6 officers in health professions.

7 (5) Section 336(g), relating to contracting bonus for cadets and midshipmen  
8 enrolled in the Senior Reserve Officers' Training Corps.

9 (6) Section 351(h), relating to hazardous duty pay.

10 (7) Section 352(g), relating to assignment pay or special duty pay.

11 (8) Section 353(i), relating to skill incentive pay or proficiency bonus.

12 (9) Section 355(h), relating to retention incentives for members qualified in  
13 critical military skills or assigned to high priority units.

14 (e) AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR  
15 HOUSING.—Section 403(b)(7)(E) of title 37, United States Code, is amended by striking  
16 “December 31, 2018” and inserting “December 31, 2019”.

17 **TITLE VII—[RESERVED]**

18 **TITLE VIII—[RESERVED]**

19 **TITLE IX—[RESERVED]**

20 **TITLE X—GENERAL PROVISIONS**

21 **SEC. 1001. CLARIFICATION OF INSPECTOR GENERAL AUTHORITIES**  
22 **CONCERNING OVERSEAS CONTINGENCY OPERATIONS.**

1 Section 8L(d)(2) of the Inspector General Act of 1978 (5 U.S.C. App. 8L(d)(2)) is  
2 amended—

3 (1) in subparagraph (D)—

4 (A) in clause (i), by striking “to exercise responsibility for discharging  
5 oversight responsibilities in accordance with this Act with respect to such matter”  
6 and inserting “to identify and coordinate with the Inspector General with primary  
7 jurisdiction over the matter to ensure effective oversight”; and

8 (B) by adding at the end the following new clause:

9 “(iii) Upon the written request of an Inspector General with primary  
10 jurisdiction over a matter with respect to the contingency operation, and with the  
11 approval of the lead Inspector General, an Inspector General specified in  
12 subsection (c) may provide investigative support or may conduct an independent  
13 investigation of an allegation of criminal activity by U.S. personnel, contractors,  
14 subcontractors, or vendors within the theater of operations that relates to the  
15 matter. If the lead Inspector General determines that no Inspector General has  
16 primary jurisdiction over the matter, the lead Inspector General may conduct an  
17 independent investigation or may request that another Inspector General specified  
18 in subsection (c) conduct an independent investigation.”; and

19 (2) by adding at the end the following new subparagraph:

20 “(I) An Inspector General responsible for conducting oversight of any program or  
21 operation performed in support of the contingency operation shall coordinate such  
22 oversight activities with the lead Inspector General and shall provide information

1 requested by the lead Inspector General relating to the lead Inspector General’s  
2 responsibilities specified in subparagraphs (B), (C), and (G) of subsection (d)(2).”.

3 **SEC. 1002. REPEAL OF DUPLICATIVE AIRLIFT SERVICE PROVISION.**

4 Section 41106 of title 49, United States Code, is repealed.

5 **SEC. 1003. TECHNICAL CORRECTIONS RELATING TO DEFENSE SECURITY**  
6 **COOPERATION STATUTORY REORGANIZATION.**

7 (a) CHAPTER REFERENCES.—The following provisions of law are amended by striking  
8 “chapter 15” and inserting “chapter 13”:

9 (1) Section 886(a)(5) of the Homeland Security Act of 2002 (6 U.S.C. 466(a)(5)).

10 (2) Section 332(a)(1) of the Consolidated Farm and Rural Development Act (7  
11 U.S.C. 1982(a)(1)).

12 (3) Section 101(a)(13)(B) of title 10, United States Code.

13 (4) Section 115(i)(6) of title 10, United States Code.

14 (5) Section 12304(c)(1) of title 10, United States Code.

15 (6) Section 484C(c)(3)(C)(v)) of the Higher Education Act of 1965 (20 U.S.C.  
16 1091c(c)(3)(C)(v)).

17 (b) SECTION REFERENCES.—(1) Title 10, United States Code, is amended—

18 (A) in section 386(c)(1), by striking “Sections 311, 321, 331, 332, 333,” and  
19 inserting “Sections 246, 251, 252, 253, 321,”; and

20 (B) in section 10541(b)(9) in the matter preceding subparagraph (A), by striking  
21 “sections 331, 332, 333,” and inserting “sections 251, 252, 253,”.

22 (2) Section 484C(c)(3)(C)(i) of the Higher Education Act of 1965 (20 U.S.C.  
23 1091c(c)(3)(C)(i)) is amended by striking “section 331, 332,” and inserting “section 251, 252,”.

1                                   **TITLE XI—CIVILIAN PERSONNEL MATTERS**

2   **SEC. 1101. EMPLOYMENT AUTHORITY FOR CIVILIAN FACULTY AT CERTAIN**  
3                                   **MILITARY DEPARTMENT SCHOOLS.**

4           (a) ADDITION OF ARMY UNIVERSITY AND ADDITIONAL FACULTY.—

5                   (1) IN GENERAL.—Section 4021 of title 10, United States Code, is amended—

6                                   (A) in subsection (a), by striking “the Army War College or the United  
7                                   States Army Command and General Staff College” and inserting “the Army War  
8                                   College, the United States Army Command and General Staff College, and the  
9                                   Army University”; and

10                                  (B) by striking subsection (c).

11                   (2) CONFORMING AMENDMENTS.—

12                                  (A) SECTION HEADING.—The heading of such section is amended to read  
13                                  as follows:

14   **“§ 4021. Army War College, United States Army Command and General Staff College, and**  
15                                  **Army University: civilian faculty members”.**

16                                  (B) TABLE OF CONTENTS.—The table of sections at the beginning of  
17                                  chapter 373 of such title is amended by striking the item relating to section 4021  
18                                  and inserting the following:

                                “4021. Army War College, United States Army Command and General Staff College, and Army University:  
                                civilian faculty members.”.

19                   (b) AIR UNIVERSITY.—Section 9021 of such title is amended by striking subsection (c).

20   **SEC. 1102. CIVIL SERVICE MARINERS OF MILITARY SEALIFT COMMAND:**  
21                                  **ALCOHOL TESTING.**

22                   (a) ALCOHOL TESTING.—

1 (1) IN GENERAL.—Chapter 643 of title 10, United States Code, is amended by  
2 adding at the end the following new section:

3 **“§ 7481. Civil service mariners of the military sealift command: alcohol testing**

4 “The Secretary of the Navy may prescribe regulations establishing a program to conduct  
5 on-duty reasonable suspicion alcohol testing and post-accident alcohol testing for Department of  
6 the Navy Military Sealift Command civil service mariners who are assigned to ships.”.

7 (2) CLERICAL AMENDMENT.—The table of sections at the beginning of such  
8 chapter is amended by adding at the end the following new item:

“7481. Civil service mariners of the military sealift command: alcohol testing.”.

9 (b) RELEASE OF ALCOHOL TESTING RESULTS.—

10 (1) IN GENERAL.—Section 7479 of title 10, United States Code, is amended—

11 (A) in the section heading by inserting “**or alcohol**” after “**drug**”;

12 (B) in the heading for subsection (a), by inserting “OR ALCOHOL” after  
13 “DRUG”; and

14 (C) in subsections (a) and (b), by inserting “or alcohol” after “drug” each  
15 place it appears.

16 (2) CLERICAL AMENDMENT.—The item relating to section 7479 in the table of  
17 sections at the beginning of chapter 643 of title 10, United States Code, is amended by  
18 inserting “or alcohol” after “drug”.

19 **SEC. 1103. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT**  
20 **ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN**  
21 **PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.**

22 Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for  
23 Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120

1 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act  
2 for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4616) and as most recently amended by  
3 section 1108 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-  
4 91), is further amended by striking “2019” and inserting “2020”.

5 **SEC. 1104. ELIGIBILITY OF DOD EMPLOYEES IN TIME-LIMITED**  
6 **APPOINTMENTS TO COMPETE FOR PERMANENT APPOINTMENTS.**

7 Section 9902 of title 5, United States Code, is amended—

- 8 (1) by redesignating subsection (h) as subsection (i); and  
9 (2) by inserting after subsection (g) the following new subsection:

10 “(h) PROVISIONS RELATED TO CONSIDERATION OF DEPARTMENT OF DEFENSE EMPLOYEES  
11 WITH NON-PERMANENT APPOINTMENTS.—(1) Notwithstanding chapter 33 or any other provision  
12 of law relating to the examination, certification, and appointment of individuals in the  
13 competitive service, an employee of the Department of Defense serving under a time-limited  
14 appointment in the competitive service is eligible to compete for a permanent appointment in the  
15 competitive service when the Department of Defense is accepting applications from individuals  
16 within the Department of Defense’s workforce under merit promotion procedures, or when the  
17 Department of Defense is accepting applications from individuals outside its own workforce  
18 under the merit promotion procedures if—

19 “(A) the employee was appointed initially under open, competitive examination  
20 under subchapter I of chapter 33 to the time-limited appointment;

21 “(B) the employee has served under one or more time-limited appointments  
22 within the Department of Defense for a period or periods totaling more than 24 months  
23 without a break of two or more years; and

1           “(C) the employee's performance has been at an acceptable level of performance  
2 throughout the period or periods referred to in subparagraph (B).

3           “(2) In determining the eligibility of a time-limited employee under this section to be  
4 examined for or appointed in the competitive service, the Office of Personnel Management or  
5 other examining agency shall waive requirements as to age, unless the requirement is essential to  
6 the performance of the duties of the position.

7           “(3) An individual appointed under this section—

8                 “(A) becomes a career-conditional employee, unless the employee has otherwise  
9 completed the service requirements for career tenure; and

10                “(B) acquires competitive status upon appointment.

11           “(4) A former employee of the Department of Defense who served under a time-limited  
12 appointment and who otherwise meets the requirements of this section shall be deemed a time-  
13 limited employee of the Department of Defense for purposes of this section if—

14                “(A) such employee applies for a position covered by this section within the  
15 period of 2 years after the most recent date of separation; and

16                “(B) such employee's most recent separation was for reasons other than  
17 misconduct or performance.”.

## 18           **TITLE XII—MATTERS RELATING TO FOREIGN NATIONS**

### 19           **SEC. 1201. REVISION OF STATUTORY REFERENCES TO FORMER NATO**

#### 20                **SUPPORT ORGANIZATIONS AND RELATED NATO AGREEMENTS.**

21           (a) TITLE 10, UNITED STATES CODE.—Section 2350d of title 10, United States Code, is  
22 amended—

1 (1) by striking “NATO Support Organization” each place it appears and inserting  
2 “NATO Support and Procurement Organization”;

3 (2) by striking “Support Partnership Agreement” each place it appears and  
4 inserting “Support or Procurement Partnership Agreement”;

5 (3) in subsection (a)(1), by striking “Support Partnership Agreements” and  
6 inserting “Support or Procurement Partnership Agreements”; and

7 (4) in subsection (b)(1), by striking “in Europe”.

8 (b) ARMS EXPORT CONTROL ACT.—Section 21(e)(3) of the Arms Export Control Act (22  
9 U.S.C. 2761(e)(3)) is amended—

10 (1) in subparagraph (A)—

11 (A) in the matter preceding clause (i), by striking “North Atlantic Treaty  
12 Organization (NATO) Support Organization” and inserting “North Atlantic  
13 Treaty Organization (NATO) Support and Procurement Organization”; and

14 (B) in clause (i), by striking “support partnership agreement” and inserting  
15 “support or procurement partnership agreement”; and

16 (2) in subparagraph (C)(i)—

17 (A) in the matter preceding subclause (I), by striking “North Atlantic  
18 Treaty Organization (NATO) Support Organization” and inserting “North  
19 Atlantic Treaty Organization (NATO) Support and Procurement Organization”;  
20 and

21 (B) in subclause (I), by striking “weapon system partnership agreement”  
22 and inserting “support or procurement partnership agreement”.

1 **SEC. 1202. AVAILABILITY OF APPROPRIATIONS FOR RI’KATAK GUEST**  
2 **STUDENT PROGRAM AT UNITED STATES ARMY**  
3 **GARRISON–KWAJALEIN ATOLL.**

4 (a) **AUTHORITY FOR RI’KATAK GUEST STUDENT PROGRAM.**—The Secretary of the Army  
5 is authorized to conduct an assistance program to educate up to five local national students per  
6 grade, per academic year, on a space-available basis at the contractor-operated schools on United  
7 States Army Garrison—Kwajalein Atoll. Such program shall be known as the “Ri’katak Guest  
8 Student Program”.

9 (b) **SOLE SOURCE OF FUNDS.**—Amounts for the program carried out pursuant to  
10 subsection (a) may be derived only from amounts authorized to be appropriated for Research,  
11 Development, Test and Evaluation, Army and available for the operation and maintenance of the  
12 activities of the United States Army Garrison—Kwajalein Atoll.

13 (c) **STUDENT ASSISTANCE.**—Assistance that may be provided to students participating in  
14 the program carried out pursuant to subsection (a) includes the following:

- 15 (1) Classroom instruction.
- 16 (2) Extracurricular activities.
- 17 (3) Student meals.
- 18 (4) Transportation.

19 **TITLE XIII—[RESERVED]**

20 **TITLE XIV—OTHER AUTHORIZATIONS**

21 **Subtitle A—Military Programs**

22 **SEC. 1401. WORKING CAPITAL FUNDS.**

1 Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the  
2 Armed Forces and other activities and agencies of the Department of Defense for providing  
3 capital for working capital and revolving funds in the amount of \$1,542,115,000.

4 **SEC. 1402. JOINT URGENT OPERATIONAL NEEDS FUND.**

5 Funds are hereby authorized to be appropriated for fiscal year 2019 for the Joint Urgent  
6 Operational Needs Fund in the amount of \$100,025,000.

7 **SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.**

8 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be  
9 appropriated for the Department of Defense for fiscal year 2019 for expenses, not otherwise  
10 provided for, for Chemical Agents and Munitions Destruction, Defense, in the amount of  
11 \$993,816,000, of which—

- 12 (1) \$105,997,000 is for Operation and Maintenance;
- 13 (2) \$886,728,000 is for Research, Development, Test, and Evaluation; and
- 14 (3) \$1,091,000 is for Procurement.

15 (b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized  
16 for—

- 17 (1) the destruction of lethal chemical agents and munitions in accordance with  
18 section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521);  
19 and
- 20 (2) the destruction of chemical warfare materiel of the United States that is not  
21 covered by section 1412 of such Act.

22 **SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-**  
23 **WIDE.**

1 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal  
2 year 2019 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug  
3 Activities, Defense-wide, in the amount of \$787,525,000.

4 **SEC. 1405. DEFENSE INSPECTOR GENERAL.**

5 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal  
6 year 2019 for expenses, not otherwise provided for, for the Office of the Inspector General of the  
7 Department of Defense, in the amount of \$329,273,000, of which—

8 (1) \$327,611,000 is for Operation and Maintenance;

9 (2) \$1,602,000 is for Research, Development, Test and Evaluation; and

10 (3) \$60,000 is for Procurement.

11 **SEC. 1406. DEFENSE HEALTH PROGRAM.**

12 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal  
13 year 2019 for expenses, not otherwise provided for, for the Defense Health Program, in the  
14 amount of \$33,729,192,000, of which—

15 (1) \$32,145,395,000 is for Operation and Maintenance;

16 (2) \$710,637,000 is for Research, Development, Test, and Evaluation; and

17 (3) \$873,160,000 is for Procurement.

18 **Subtitle B—Other Matters**

19 **SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF**  
20 **DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL**  
21 **FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A.**  
22 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

1 (a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated  
2 for section 1406 and available for the Defense Health Program for operation and maintenance,  
3 \$113,000,000 may be transferred by the Secretary of Defense to the Joint Department of  
4 Defense—Department of Veterans Affairs Medical Facility Demonstration Fund established by  
5 subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010  
6 (Public Law 111-84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any  
7 funds so transferred shall be treated as amounts authorized and appropriated specifically for the  
8 purpose of such a transfer.

9 (b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section  
10 1704, facility operations for which funds transferred under subsection (a) may be used are  
11 operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North  
12 Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting  
13 facilities designated as a combined Federal medical facility under an operational agreement  
14 covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal  
15 Year 2009 (Public Law 110-417; 122 Stat. 4500).

16 **SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES**

17 **RETIREMENT HOME.**

18 There is hereby authorized to be appropriated for fiscal year 2019 from the Armed Forces  
19 Retirement Home Trust Fund the sum of \$64,300,000 for the operation of the Armed Forces  
20 Retirement Home.

21 **TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS**

22 **FOR OVERSEAS CONTINGENCY OPERATIONS**

23 **SEC. 1501. PURPOSE.**

1           The purpose of this title is to authorize appropriations for the Department of Defense for  
2 fiscal year 2019 to provide additional funds for overseas contingency operations being carried  
3 out by the Armed Forces.

4 **SEC. 1502. ARMY PROCUREMENT.**

5           Funds are hereby authorized to be appropriated for fiscal year 2019 for procurement for  
6 the Army in amounts as follows:

- 7                   (1) For aircraft procurement, \$363,363,000.
- 8                   (2) For missile procurement, \$1,802,351,000.
- 9                   (3) For weapons and tracked combat vehicles, \$1,107,183,000.
- 10                  (4) For ammunition procurement, \$309,525,000.
- 11                  (5) For other procurement, \$1,382,047,000.

12 **SEC. 1503. NAVY AND MARINE CORPS PROCUREMENT.**

13           Funds are hereby authorized to be appropriated for fiscal year 2019 for procurement for  
14 the Navy and Marine Corps in amounts as follows:

- 15                   (1) For aircraft procurement, Navy, \$80,119,000.
- 16                   (2) For weapons procurement, Navy, \$14,134,000.
- 17                   (3) For ammunition procurement, Navy and Marine Corps, \$246,541,000.
- 18                   (4) For other procurement, Navy, \$187,173,000.
- 19                   (5) For procurement, Marine Corps, \$58,023,000.

20 **SEC. 1504. AIR FORCE PROCUREMENT.**

21           Funds are hereby authorized to be appropriated for fiscal year 2019 for procurement for  
22 the Air Force in amounts as follows:

- 23                   (1) For aircraft procurement, \$1,018,888,000.

1 (2) For missile procurement, \$493,526,000.

2 (3) For ammunition procurement, \$1,421,516,000.

3 (4) For other procurement, \$3,725,944,000.

4 **SEC. 1505. DEFENSE-WIDE ACTIVITIES PROCUREMENT.**

5 Funds are hereby authorized to be appropriated for fiscal year 2019 for the procurement  
6 account for Defense-wide activities in the amount of \$572,135,000.

7 **SEC. 1506. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.**

8 Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the  
9 Department of Defense for research, development, test, and evaluation as follows:

10 (1) For the Army, \$325,104,000.

11 (2) For the Navy, \$167,812,000.

12 (3) For the Air Force, \$314,271,000.

13 (4) For Defense-wide activities, \$500,544,000.

14 **SEC. 1507. OPERATION AND MAINTENANCE.**

15 Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the  
16 Armed Forces for expenses, not otherwise provided for, for operation and maintenance, in  
17 amounts as follows:

18 (1) For the Army, \$18,210,500,000.

19 (2) For the Navy, \$4,757,155,000.

20 (3) For the Marine Corps, \$1,121,900,000.

21 (4) For the Air Force, \$9,285,789,000.

22 (5) For Defense-wide activities, \$8,549,908,000.

23 (6) For the Army Reserve, \$41,887,000.

- 1 (7) For the Navy Reserve, \$25,637,000.
- 2 (8) For the Marine Corps Reserve, \$3,345,000.
- 3 (9) For the Air Force Reserve, \$60,500,000.
- 4 (10) For the Army National Guard, \$110,729,000.
- 5 (11) For the Air National Guard, \$15,870,000.
- 6 (12) For the Afghanistan Security Forces Fund, \$5,199,450,000.
- 7 (13) Counter-Islamic State of Iraq and Syria Train and Equip Fund,
- 8 \$1,400,000,000.

9 **SEC. 1508. MILITARY PERSONNEL.**

10 Funds are hereby authorized to be appropriated for fiscal year 2019 to the Department of  
11 Defense for military personnel accounts in the total amount of \$4,660,661,000.

12 **SEC. 1509. WORKING CAPITAL FUNDS.**

13 Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the  
14 Armed Forces and other activities and agencies of the Department of Defense for providing  
15 capital for Defense Working Capital Funds in the amount of \$15,190,000.

16 **SEC. 1510. DEFENSE HEALTH PROGRAM.**

17 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal  
18 year 2019 for expenses, not otherwise provided for, for the Defense Health Program in the  
19 amount of \$352,068,000 for operation and maintenance.

20 **SEC. 1511. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-**  
21 **WIDE.**

1 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal  
2 year 2019 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug  
3 Activities, Defense-wide in the amount of \$153,100,000.

4 **SEC. 1512. DEFENSE INSPECTOR GENERAL.**

5 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal  
6 year 2019 for expenses, not otherwise provided for, for the Office of the Inspector General of the  
7 Department of Defense in the amount of \$24,692,000.

8 **TITLE XVI—[RESERVED]**

9 **DIVISION B—[RESERVED]**