

Calendar No. 181118TH CONGRESS
1ST SESSION**S. 2587****[Report No. 118–81]**

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2024, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

Mr. TESTER, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2024, 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 Department of Defense for the fiscal year ending Sep-
6 tember 30, 2024, and for other purposes, namely:

1

TITLE I

2

MILITARY PERSONNEL

3

MILITARY PERSONNEL, ARMY

4

For pay, allowances, individual clothing, subsistence,
interest on deposits, gratuities, permanent change of sta-
tion travel (including all expenses thereof for organiza-
tional movements), and expenses of temporary duty travel
between permanent duty stations, for members of the
Army on active duty (except members of reserve compo-
nents provided for elsewhere), cadets, and aviation cadets;
for members of the Reserve Officers' Training Corps; and
for payments pursuant to section 156 of Public Law 97-
377, as amended (42 U.S.C. 402 note), and to the Depart-
ment of Defense Military Retirement Fund,
\$49,576,005,000.

16

MILITARY PERSONNEL, NAVY

17

For pay, allowances, individual clothing, subsistence,
interest on deposits, gratuities, permanent change of sta-
tion travel (including all expenses thereof for organiza-
tional movements), and expenses of temporary duty travel
between permanent duty stations, for members of the
Navy on active duty (except members of the Reserve pro-
vided for elsewhere), midshipmen, and aviation cadets; for
members of the Reserve Officers' Training Corps; and for
payments pursuant to section 156 of Public Law 97-377,

25

1 as amended (42 U.S.C. 402 note), and to the Department
2 of Defense Military Retirement Fund, \$37,400,340,000.

3 MILITARY PERSONNEL, MARINE CORPS

4 For pay, allowances, individual clothing, subsistence,
5 interest on deposits, gratuities, permanent change of sta-
6 tion travel (including all expenses thereof for organiza-
7 tional movements), and expenses of temporary duty travel
8 between permanent duty stations, for members of the Ma-
9 rine Corps on active duty (except members of the Reserve
10 provided for elsewhere); and for payments pursuant to sec-
11 tion 156 of Public Law 97-377, as amended (42 U.S.C.
12 402 note), and to the Department of Defense Military Re-
13 tirement Fund, \$15,482,551,000.

14 MILITARY PERSONNEL, AIR FORCE

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

1 ment of Defense Military Retirement Fund,
2 \$36,118,107,000.

3 MILITARY PERSONNEL, SPACE FORCE

4 For pay, allowances, individual clothing, subsistence,
5 interest on deposits, gratuities, permanent change of sta-
6 tion travel (including all expenses thereof for organiza-
7 tional movements), and expenses of temporary duty travel
8 between permanent duty stations, for members of the
9 Space Force on active duty and cadets; for members of
10 the Reserve Officers Training Corps; and for payments
11 pursuant to section 156 of Public Law 97-377, as amend-
12 ed (42 U.S.C. 402 note), and to the Department of De-
13 fense Military Retirement Fund, \$1,210,928,000.

14 RESERVE PERSONNEL, ARMY

15 For pay, allowances, clothing, subsistence, gratuities,
16 travel, and related expenses for personnel of the Army Re-
17 serve on active duty under sections 10211, 10302, and
18 7038 of title 10, United States Code, or while serving on
19 active duty under section 12301(d) of title 10, United
20 States Code, in connection with performing duty specified
21 in section 12310(a) of title 10, United States Code, or
22 while undergoing reserve training, or while performing
23 drills or equivalent duty or other duty, and expenses au-
24 thorized by section 16131 of title 10, United States Code;

1 and for payments to the Department of Defense Military
2 Retirement Fund, \$5,333,436,000.

3 RESERVE PERSONNEL, NAVY

4 For pay, allowances, clothing, subsistence, gratuities,
5 travel, and related expenses for personnel of the Navy Re-
6 serve on active duty under section 10211 of title 10,
7 United States Code, or while serving on active duty under
8 section 12301(d) of title 10, United States Code, in con-
9 nection with performing duty specified in section 12310(a)
10 of title 10, United States Code, or while undergoing re-
11 serve training, or while performing drills or equivalent
12 duty, and expenses authorized by section 16131 of title
13 10, United States Code; and for payments to the Depart-
14 ment of Defense Military Retirement Fund,
15 \$2,481,249,000.

16 RESERVE PERSONNEL, MARINE CORPS

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

1 leaders class, and expenses authorized by section 16131
2 of title 10, United States Code; and for payments to the
3 Department of Defense Military Retirement Fund,
4 \$879,613,000.

5 RESERVE PERSONNEL, AIR FORCE

6 For pay, allowances, clothing, subsistence, gratuities,
7 travel, and related expenses for personnel of the Air Force
8 Reserve on active duty under sections 10211, 10305, and
9 8038 of title 10, United States Code, or while serving on
10 active duty under section 12301(d) of title 10, United
11 States Code, in connection with performing duty specified
12 in section 12310(a) of title 10, United States Code, or
13 while undergoing reserve training, or while performing
14 drills or equivalent duty or other duty, and expenses au-
15 thorized by section 16131 of title 10, United States Code;
16 and for payments to the Department of Defense Military
17 Retirement Fund, \$2,450,005,000.

18 NATIONAL GUARD PERSONNEL, ARMY

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

1 in section 12310(a) of title 10, United States Code, or
2 while undergoing training, or while performing drills or
3 equivalent duty or other duty, and expenses authorized by
4 section 16131 of title 10, United States Code; and for pay-
5 ments to the Department of Defense Military Retirement
6 Fund, \$9,786,667,000.

7 NATIONAL GUARD PERSONNEL, AIR FORCE

8 For pay, allowances, clothing, subsistence, gratuities,
9 travel, and related expenses for personnel of the Air Na-
10 tional Guard on duty under sections 10211, 10305, or
11 12402 of title 10 or section 708 of title 32, United States
12 Code, or while serving on duty under section 12301(d) of
13 title 10 or section 502(f) of title 32, United States Code,
14 in connection with performing duty specified in section
15 12310(a) of title 10, United States Code, or while under-
16 going training, or while performing drills or equivalent
17 duty or other duty, and expenses authorized by section
18 16131 of title 10, United States Code; and for payments
19 to the Department of Defense Military Retirement Fund,
20 \$5,264,865,000.

1 TITLE II
2 OPERATION AND MAINTENANCE
3 OPERATION AND MAINTENANCE, ARMY

4 For expenses, not otherwise provided for, necessary
5 for the operation and maintenance of the Army, as author-
6 ized by law, \$59,904,900,000: *Provided*, That not to ex-
7 ceed \$12,478,000 may be used for emergencies and ex-
8 traordinary expenses, to be expended upon the approval
9 or authority of the Secretary of the Army, and payments
10 may be made upon the Secretary's certificate of necessity
11 for confidential military purposes.

12 OPERATION AND MAINTENANCE, NAVY

13 For expenses, not otherwise provided for, necessary
14 for the operation and maintenance of the Navy and the
15 Marine Corps, as authorized by law, \$72,224,550,000:
16 *Provided*, That not to exceed \$15,055,000 may be used
17 for emergencies and extraordinary expenses, to be ex-
18 pended upon the approval or authority of the Secretary
19 of the Navy, and payments may be made upon the Sec-
20 retary's certificate of necessity for confidential military
21 purposes.

22 OPERATION AND MAINTENANCE, MARINE CORPS

23 For expenses, not otherwise provided for, necessary
24 for the operation and maintenance of the Marine Corps,
25 as authorized by law, \$10,299,917,000.

1 OPERATION AND MAINTENANCE, AIR FORCE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance of the Air Force, as
4 authorized by law, \$62,449,894,000: *Provided*, That not
5 to exceed \$7,699,000 may be used for emergencies and
6 extraordinary expenses, to be expended upon the approval
7 or authority of the Secretary of the Air Force, and pay-
8 ments may be made upon the Secretary's certificate of ne-
9 cessity for confidential military purposes.

10 OPERATION AND MAINTENANCE, SPACE FORCE

11 For expenses, not otherwise provided for, necessary
12 for the operation and maintenance of the Space Force, as
13 authorized by law, \$4,958,408,000.

14 OPERATION AND MAINTENANCE, DEFENSE-WIDE

15 (INCLUDING TRANSFER OF FUNDS)

16 For expenses, not otherwise provided for, necessary
17 for the operation and maintenance of activities and agen-
18 cies of the Department of Defense (other than the military
19 departments), as authorized by law, \$52,508,990,000:
20 *Provided*, That not more than \$2,981,000 may be used
21 for the Combatant Commander Initiative Fund authorized
22 under section 166a of title 10, United States Code: *Pro-*
23 *vided further*, That not to exceed \$36,000,000 may be
24 used for emergencies and extraordinary expenses, to be ex-
25 pended upon the approval or authority of the Secretary

1 of Defense, and payments may be made upon the Sec-
2 retary's certificate of necessity for confidential military
3 purposes: *Provided further*, That of the funds provided
4 under this heading, not less than \$55,000,000 shall be
5 made available for the Procurement Technical Assistance
6 Cooperative Agreement Program, of which not less than
7 \$5,000,000 shall be available for centers with eligible enti-
8 ties defined in 10 U.S.C. 4951(1)(D): *Provided further*,
9 That none of the funds appropriated or otherwise made
10 available by this Act may be used to plan or implement
11 the consolidation of a budget or appropriations liaison of-
12 fice of the Office of the Secretary of Defense, the office
13 of the Secretary of a military department, or the service
14 headquarters of one of the Armed Forces into a legislative
15 affairs or legislative liaison office: *Provided further*, That
16 of the funds provided under this heading, \$3,000,000, to
17 remain available until September 30, 2025, shall be avail-
18 able only for expenses relating to certain classified activi-
19 ties: *Provided further*, That of the funds provided under
20 this heading, \$25,968,000, to remain available until ex-
21 pended, shall be available only for expenses relating to cer-
22 tain classified activities, and may be transferred as nec-
23 essary by the Secretary of Defense to operation and main-
24 tenance appropriations or research, development, test and
25 evaluation appropriations, to be merged with and to be

1 available for the same time period as the appropriations
2 to which transferred: *Provided further*, That any ceiling
3 on the investment item unit cost of items that may be pur-
4 chased with operation and maintenance funds shall not
5 apply to the funds described in the preceding proviso: *Pro-*
6 *vided further*, That of the funds provided under this head-
7 ing, \$2,241,600,000, of which \$1,316,031,000, to remain
8 available until September 30, 2025, shall be available to
9 provide support and assistance to foreign security forces
10 or other groups or individuals to conduct, support or facili-
11 tate counterterrorism, crisis response, or other Depart-
12 ment of Defense security cooperation programs: *Provided*
13 *further*, That the transfer authority provided under this
14 heading is in addition to any other transfer authority pro-
15 vided elsewhere in this Act.

16 COUNTER-ISIS TRAIN AND EQUIP FUND

17 For the “Counter-Islamic State of Iraq and Syria
18 Train and Equip Fund”, \$372,950,000, to remain avail-
19 able until September 30, 2025: *Provided*, That such funds
20 shall be available to the Secretary of Defense in coordina-
21 tion with the Secretary of State, to provide assistance, in-
22 cluding training; equipment; logistics support, supplies,
23 and services; stipends; infrastructure repair and renova-
24 tion; construction for facility fortification and humane
25 treatment; and sustainment, to foreign security forces, ir-

1 regular forces, groups, or individuals participating, or pre-
2 paring to participate in activities to counter the Islamic
3 State of Iraq and Syria, and their affiliated or associated
4 groups: *Provided further*, That amounts made available
5 under this heading shall be available to provide assistance
6 only for activities in a country designated by the Secretary
7 of Defense, in coordination with the Secretary of State,
8 as having a security mission to counter the Islamic State
9 of Iraq and Syria, and following written notification to the
10 congressional defense committees of such designation:
11 *Provided further*, That the Secretary of Defense shall en-
12 sure that prior to providing assistance to elements of any
13 forces or individuals, such elements or individuals are ap-
14 propriately vetted, including at a minimum, assessing such
15 elements for associations with terrorist groups or groups
16 associated with the Government of Iran; and receiving
17 commitments from such elements to promote respect for
18 human rights and the rule of law: *Provided further*, That
19 the Secretary of Defense shall, not fewer than 15 days
20 prior to obligating from this appropriation account, notify
21 the congressional defense committees in writing of the de-
22 tails of any such obligation: *Provided further*, That the
23 Secretary of Defense may accept and retain contributions,
24 including assistance in-kind, from foreign governments,
25 including the Government of Iraq and other entities, to

1 carry out assistance authorized under this heading: *Pro-*
2 *vided further*, That contributions of funds for the purposes
3 provided herein from any foreign government or other en-
4 tity may be credited to this Fund, to remain available until
5 expended, and used for such purposes: *Provided further*,
6 That the Secretary of Defense shall prioritize such con-
7 tributions when providing any assistance for construction
8 for facility fortification: *Provided further*, That the Sec-
9 retary of Defense may waive a provision of law relating
10 to the acquisition of items and support services or sections
11 40 and 40A of the Arms Export Control Act (22 U.S.C.
12 2780 and 2785) if the Secretary determines that such pro-
13 vision of law would prohibit, restrict, delay or otherwise
14 limit the provision of such assistance and a notice of and
15 justification for such waiver is submitted to the congres-
16 sional defense committees, the Committees on Appropria-
17 tions and Foreign Relations of the Senate and the Com-
18 mittees on Appropriations and Foreign Affairs of the
19 House of Representatives: *Provided further*, That the
20 United States may accept equipment procured using funds
21 provided under this heading, or under the heading, “Iraq
22 Train and Equip Fund” in prior Acts, that was trans-
23 ferred to security forces, irregular forces, or groups par-
24 ticipating, or preparing to participate in activities to
25 counter the Islamic State of Iraq and Syria and returned

1 by such forces or groups to the United States, and such
2 equipment may be treated as stocks of the Department
3 of Defense upon written notification to the congressional
4 defense committees: *Provided further*, That equipment
5 procured using funds provided under this heading, or
6 under the heading, “Iraq Train and Equip Fund” in prior
7 Acts, and not yet transferred to security forces, irregular
8 forces, or groups participating, or preparing to participate
9 in activities to counter the Islamic State of Iraq and Syria
10 may be treated as stocks of the Department of Defense
11 when determined by the Secretary to no longer be required
12 for transfer to such forces or groups and upon written
13 notification to the congressional defense committees: *Pro-*
14 *vided further*, That the Secretary of Defense shall provide
15 quarterly reports to the congressional defense committees
16 on the use of funds provided under this heading, including,
17 but not limited to, the number of individuals trained, the
18 nature and scope of support and sustainment provided to
19 each group or individual, the area of operations for each
20 group, and the contributions of other countries, groups,
21 or individuals.

22 OPERATION AND MAINTENANCE, ARMY RESERVE

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

1 pair of facilities and equipment; hire of passenger motor
2 vehicles; travel and transportation; care of the dead; re-
3 cruiting; procurement of services, supplies, and equip-
4 ment; and communications, \$3,623,948,000.

5 OPERATION AND MAINTENANCE, NAVY RESERVE

6 For expenses, not otherwise provided for, necessary
7 for the operation and maintenance, including training, or-
8 ganization, and administration, of the Navy Reserve; re-
9 pair of facilities and equipment; hire of passenger motor
10 vehicles; travel and transportation; care of the dead; re-
11 cruiting; procurement of services, supplies, and equip-
12 ment; and communications, \$1,384,310,000.

13 OPERATION AND MAINTENANCE, MARINE CORPS

14 RESERVE

15 For expenses, not otherwise provided for, necessary
16 for the operation and maintenance, including training, or-
17 ganization, and administration, of the Marine Corps Re-
18 serve; repair of facilities and equipment; hire of passenger
19 motor vehicles; travel and transportation; care of the dead;
20 recruiting; procurement of services, supplies, and equip-
21 ment; and communications, \$329,895,000.

22 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

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

1 repair of facilities and equipment; hire of passenger motor
2 vehicles; travel and transportation; care of the dead; re-
3 cruiting; procurement of services, supplies, and equip-
4 ment; and communications, \$4,003,756,000.

5 OPERATION AND MAINTENANCE, ARMY NATIONAL
6 GUARD

7 For expenses of training, organizing, and admin-
8 istering the Army National Guard, including medical and
9 hospital treatment and related expenses in non-Federal
10 hospitals; maintenance, operation, and repairs to struc-
11 tures and facilities; hire of passenger motor vehicles; per-
12 sonnel services in the National Guard Bureau; travel ex-
13 penses (other than mileage), as authorized by law for
14 Army personnel on active duty, for Army National Guard
15 division, regimental, and battalion commanders while in-
16 specting units in compliance with National Guard Bureau
17 regulations when specifically authorized by the Chief, Na-
18 tional Guard Bureau; supplying and equipping the Army
19 National Guard as authorized by law; and expenses of re-
20 pair, modification, maintenance, and issue of supplies and
21 equipment (including aircraft), \$8,706,797,000.

22 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

23 For expenses of training, organizing, and admin-
24 istering the Air National Guard, including medical and
25 hospital treatment and related expenses in non-Federal

1 hospitals; maintenance, operation, and repairs to struc-
2 tures and facilities; transportation of things, hire of pas-
3 senger motor vehicles; supplying and equipping the Air
4 National Guard, as authorized by law; expenses for repair,
5 modification, maintenance, and issue of supplies and
6 equipment, including those furnished from stocks under
7 the control of agencies of the Department of Defense;
8 travel expenses (other than mileage) on the same basis as
9 authorized by law for Air National Guard personnel on
10 active Federal duty, for Air National Guard commanders
11 while inspecting units in compliance with National Guard
12 Bureau regulations when specifically authorized by the
13 Chief, National Guard Bureau, \$7,268,605,000.

14 UNITED STATES COURT OF APPEALS FOR THE ARMED
15 FORCES

16 For salaries and expenses necessary for the United
17 States Court of Appeals for the Armed Forces,
18 \$16,620,000, of which not to exceed \$10,000 may be used
19 for official representation purposes.

20 ENVIRONMENTAL RESTORATION, ARMY
21 (INCLUDING TRANSFER OF FUNDS)

22 For the Department of the Army, \$265,860,000, to
23 remain available until transferred: *Provided*, That the Sec-
24 retary of the Army shall, upon determining that such
25 funds are required for environmental restoration, reduc-

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

15 ENVIRONMENTAL RESTORATION, NAVY

16 (INCLUDING TRANSFER OF FUNDS)

17 For the Department of the Navy, \$405,240,000, to
18 remain available until transferred: *Provided*, That the Sec-
19 retary of the Navy shall, upon determining that such
20 funds are required for environmental restoration, reduc-
21 tion and recycling of hazardous waste, removal of unsafe
22 buildings and debris of the Department of the Navy, or
23 for similar purposes, transfer the funds made available by
24 this appropriation to other appropriations made available
25 to the Department of the Navy, to be merged with and

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

10 ENVIRONMENTAL RESTORATION, AIR FORCE

11 (INCLUDING TRANSFER OF FUNDS)

12 For the Department of the Air Force, \$406,744,000,
13 to remain available until transferred: *Provided*, That the
14 Secretary of the Air Force shall, upon determining that
15 such funds are required for environmental restoration, re-
16 duction and recycling of hazardous waste, removal of un-
17 safe buildings and debris of the Department of the Air
18 Force, or for similar purposes, transfer the funds made
19 available by this appropriation to other appropriations
20 made available to the Department of the Air Force, to be
21 merged with and to be available for the same purposes
22 and for the same time period as the appropriations to
23 which transferred: *Provided further*, That upon a deter-
24 mination that all or part of the funds transferred from
25 this appropriation are not necessary for the purposes pro-

1 vided herein, such amounts may be transferred back to
2 this appropriation: *Provided further*, That the transfer au-
3 thority provided under this heading is in addition to any
4 other transfer authority provided elsewhere in this Act.

5 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
6 (INCLUDING TRANSFER OF FUNDS)

7 For the Department of Defense, \$8,965,000, to re-
8 main available until transferred: *Provided*, That the Sec-
9 retary of Defense shall, upon determining that such funds
10 are required for environmental restoration, reduction and
11 recycling of hazardous waste, removal of unsafe buildings
12 and debris of the Department of Defense, or for similar
13 purposes, transfer the funds made available by this appro-
14 priation to other appropriations made available to the De-
15 partment of Defense, to be merged with and to be avail-
16 able for the same purposes and for the same time period
17 as the appropriations to which transferred: *Provided fur-*
18 *ther*, That upon a determination that all or part of the
19 funds transferred from this appropriation are not nec-
20 essary for the purposes provided herein, such amounts
21 may be transferred back to this appropriation: *Provided*
22 *further*, That the transfer authority provided under this
23 heading is in addition to any other transfer authority pro-
24 vided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, FORMERLY USED
2 DEFENSE SITES
3 (INCLUDING TRANSFER OF FUNDS)

4 For the Department of the Army, \$232,806,000, to
5 remain available until transferred: *Provided*, That the Sec-
6 retary of the Army shall, upon determining that such
7 funds are required for environmental restoration, reduc-
8 tion and recycling of hazardous waste, removal of unsafe
9 buildings and debris at sites formerly used by the Depart-
10 ment of Defense, transfer the funds made available by this
11 appropriation to other appropriations made available to
12 the Department of the Army, to be merged with and to
13 be available for the same purposes and for the same time
14 period as the appropriations to which transferred: *Pro-*
15 *vided further*, That upon a determination that all or part
16 of the funds transferred from this appropriation are not
17 necessary for the purposes provided herein, such amounts
18 may be transferred back to this appropriation: *Provided*
19 *further*, That the transfer authority provided under this
20 heading is in addition to any other transfer authority pro-
21 vided elsewhere in this Act.

22 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

23 For expenses relating to the Overseas Humanitarian,
24 Disaster, and Civic Aid programs of the Department of
25 Defense (consisting of the programs provided under sec-

1 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
2 United States Code), \$114,900,000, to remain available
3 until September 30, 2025.

4 COOPERATIVE THREAT REDUCTION ACCOUNT

5 For assistance, including assistance provided by con-
6 tract or by grants, under programs and activities of the
7 Department of Defense Cooperative Threat Reduction
8 Program authorized under the Department of Defense Co-
9 operative Threat Reduction Act, \$350,999,000, to remain
10 available until September 30, 2026.

11 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE

12 DEVELOPMENT ACCOUNT

13 For the Department of Defense Acquisition Work-
14 force Development Account, \$79,977,000: *Provided*, That
15 no other amounts may be otherwise credited or transferred
16 to the Account, or deposited into the Account, in fiscal
17 year 2024 pursuant to section 1705(d) of title 10, United
18 States Code.

1 TITLE III
2 PROCUREMENT

3 AIRCRAFT PROCUREMENT, ARMY

4 For construction, procurement, production, modifica-
5 tion, and modernization of aircraft, equipment, including
6 ordnance, ground handling equipment, spare parts, and
7 accessories therefor; specialized equipment and training
8 devices; expansion of public and private plants, including
9 the land necessary therefor, for the foregoing purposes,
10 and such lands and interests therein, may be acquired,
11 and construction prosecuted thereon prior to approval of
12 title; and procurement and installation of equipment, ap-
13 pliances, and machine tools in public and private plants;
14 reserve plant and Government and contractor-owned
15 equipment layaway; and other expenses necessary for the
16 foregoing purposes, \$3,154,007,000, to remain available
17 for obligation until September 30, 2026.

18 MISSILE PROCUREMENT, ARMY

19 For construction, procurement, production, modifica-
20 tion, and modernization of missiles, equipment, including
21 ordnance, ground handling equipment, spare parts, and
22 accessories therefor; specialized equipment and training
23 devices; expansion of public and private plants, including
24 the land necessary therefor, for the foregoing purposes,
25 and such lands and interests therein, may be acquired,

1 PROCUREMENT OF AMMUNITION, ARMY

2 For construction, procurement, production, and
3 modification of ammunition, and accessories therefor; spe-
4 cialized equipment and training devices; expansion of pub-
5 lic and private plants, including ammunition facilities, au-
6 thorized by section 2854 of title 10, United States Code,
7 and the land necessary therefor, for the foregoing pur-
8 poses, and such lands and interests therein, may be ac-
9 quired, and construction prosecuted thereon prior to ap-
10 proval of title; and procurement and installation of equip-
11 ment, appliances, and machine tools in public and private
12 plants; reserve plant and Government and contractor-
13 owned equipment layaway; and other expenses necessary
14 for the foregoing purposes, \$2,888,332,000, to remain
15 available for obligation until September 30, 2026.

16 OTHER PROCUREMENT, ARMY

17 For construction, procurement, production, and
18 modification of vehicles, including tactical, support, and
19 non-tracked combat vehicles; the purchase of passenger
20 motor vehicles for replacement only; communications and
21 electronic equipment; other support equipment; spare
22 parts, ordnance, and accessories therefor; specialized
23 equipment and training devices; expansion of public and
24 private plants, including the land necessary therefor, for
25 the foregoing purposes, and such lands and interests

1 therein, may be acquired, and construction prosecuted
2 thereon prior to approval of title; and procurement and
3 installation of equipment, appliances, and machine tools
4 in public and private plants; reserve plant and Govern-
5 ment and contractor-owned equipment layaway; and other
6 expenses necessary for the foregoing purposes,
7 \$8,402,000,000, to remain available for obligation until
8 September 30, 2026.

9 AIRCRAFT PROCUREMENT, NAVY

10 For construction, procurement, production, modifica-
11 tion, and modernization of aircraft, equipment, including
12 ordnance, spare parts, and accessories therefor; specialized
13 equipment; expansion of public and private plants, includ-
14 ing the land necessary therefor, and such lands and inter-
15 ests therein, may be acquired, and construction prosecuted
16 thereon prior to approval of title; and procurement and
17 installation of equipment, appliances, and machine tools
18 in public and private plants; reserve plant and Govern-
19 ment and contractor-owned equipment layaway,
20 \$18,759,061,000, to remain available for obligation until
21 September 30, 2026.

22 WEAPONS PROCUREMENT, NAVY

23 For construction, procurement, production, modifica-
24 tion, and modernization of missiles, torpedoes, other weap-
25 ons, and related support equipment including spare parts,

1 and accessories therefor; expansion of public and private
 2 plants, including the land necessary therefor, and such
 3 lands and interests therein, may be acquired, and con-
 4 struction prosecuted thereon prior to approval of title; and
 5 procurement and installation of equipment, appliances,
 6 and machine tools in public and private plants; reserve
 7 plant and Government and contractor-owned equipment
 8 layaway, \$6,124,220,000, to remain available for obliga-
 9 tion until September 30, 2026.

10 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
 11 CORPS

12 For construction, procurement, production, and
 13 modification of ammunition, and accessories therefor; spe-
 14 cialized equipment and training devices; expansion of pub-
 15 lic and private plants, including ammunition facilities, au-
 16 thorized by section 2854 of title 10, United States Code,
 17 and the land necessary therefor, for the foregoing pur-
 18 poses, and such lands and interests therein, may be ac-
 19 quired, and construction prosecuted thereon prior to ap-
 20 proval of title; and procurement and installation of equip-
 21 ment, appliances, and machine tools in public and private
 22 plants; reserve plant and Government and contractor-
 23 owned equipment layaway; and other expenses necessary
 24 for the foregoing purposes, \$1,187,912,000, to remain
 25 available for obligation until September 30, 2026.

1 SHIPBUILDING AND CONVERSION, NAVY

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

14 Columbia Class Submarine, \$2,443,598,000;

15 Columbia Class Submarine (AP),
16 \$3,390,734,000;

17 Carrier Replacement Program (CVN-80),
18 \$1,115,296,000;

19 Carrier Replacement Program (CVN-81),
20 \$800,492,000;

21 Virginia Class Submarine, \$7,129,965,000;

22 Virginia Class Submarine (AP),
23 \$3,158,782,000;

24 CVN Refueling Overhauls (AP), \$488,446,000;

25 DDG-1000 Program, \$410,400,000;

1 DDG-51 Destroyer, \$4,499,179,000;
2 DDG-51 Destroyer (AP), \$1,641,335,000;
3 FFG-Frigate, \$2,223,698,000;
4 LPD Flight II (AP), \$500,000,000;
5 LHA Replacement, \$1,830,149,000;
6 TAO Fleet Oiler, \$815,420,000;
7 TAGOS Surtass Ship, \$513,466,000;
8 LCU 1700, \$62,532,000;
9 Service Craft, \$93,815,000;
10 Auxiliary Personnel Lighter, \$72,000,000;
11 LCAC SLEP, \$15,286,000;
12 Auxiliary Vessels, \$142,008,000;
13 For outfitting, post delivery, conversions, and
14 first destination transportation, \$513,937,000; and
15 Completion of Prior Year Shipbuilding Pro-
16 grams, \$1,390,093,000.
17 In all: \$33,250,631,000, to remain available for obli-
18 gation until September 30, 2028: *Provided*, That addi-
19 tional obligations may be incurred after September 30,
20 2028, for engineering services, tests, evaluations, and
21 other such budgeted work that must be performed in the
22 final stage of ship construction: *Provided further*, That
23 none of the funds provided under this heading for the con-
24 struction or conversion of any naval vessel to be con-
25 structed in shipyards in the United States shall be ex-

1 pended in foreign facilities for the construction of major
2 components of such vessel: *Provided further*, That none of
3 the funds provided under this heading shall be used for
4 the construction of any naval vessel in foreign shipyards:
5 *Provided further*, That funds appropriated or otherwise
6 made available by this Act for Columbia Class Submarine
7 (AP) may be available for the purposes authorized by sub-
8 sections (f), (g), (h) or (i) of section 2218a of title 10,
9 United States Code, only in accordance with the provisions
10 of the applicable subsection.

11 OTHER PROCUREMENT, NAVY

12 For procurement, production, and modernization of
13 support equipment and materials not otherwise provided
14 for, Navy ordnance (except ordnance for new aircraft, new
15 ships, and ships authorized for conversion); the purchase
16 of passenger motor vehicles for replacement only; expan-
17 sion of public and private plants, including the land nec-
18 essary therefor, and such lands and interests therein, may
19 be acquired, and construction prosecuted thereon prior to
20 approval of title; and procurement and installation of
21 equipment, appliances, and machine tools in public and
22 private plants; reserve plant and Government and con-
23 tractor-owned equipment layaway, \$14,711,311,000, to
24 remain available for obligation until September 30, 2026:
25 *Provided*, That such funds are also available for the main-

1 tenance, repair, and modernization of ships under a pilot
2 program established for such purposes.

3 PROCUREMENT, MARINE CORPS

4 For expenses necessary for the procurement, manu-
5 facture, and modification of missiles, armament, military
6 equipment, spare parts, and accessories therefor; plant
7 equipment, appliances, and machine tools, and installation
8 thereof in public and private plants; reserve plant and
9 Government and contractor-owned equipment layaway; ve-
10 hicles for the Marine Corps, including the purchase of pas-
11 senger motor vehicles for replacement only; and expansion
12 of public and private plants, including land necessary
13 therefor, and such lands and interests therein, may be ac-
14 quired, and construction prosecuted thereon prior to ap-
15 proval of title, \$3,957,695,000, to remain available for ob-
16 ligation until September 30, 2026.

17 AIRCRAFT PROCUREMENT, AIR FORCE

18 For construction, procurement, and modification of
19 aircraft and equipment, including armor and armament,
20 specialized ground handling equipment, and training de-
21 vices, spare parts, and accessories therefor; specialized
22 equipment; expansion of public and private plants, Gov-
23 ernment-owned equipment and installation thereof in such
24 plants, erection of structures, and acquisition of land, for
25 the foregoing purposes, and such lands and interests

1 therein, may be acquired, and construction prosecuted
2 thereon prior to approval of title; reserve plant and Gov-
3 ernment and contractor-owned equipment layaway; and
4 other expenses necessary for the foregoing purposes in-
5 cluding rents and transportation of things,
6 \$20,114,772,000, to remain available for obligation until
7 September 30, 2026.

8 MISSILE PROCUREMENT, AIR FORCE

9 For construction, procurement, and modification of
10 missiles, rockets, and related equipment, including spare
11 parts and accessories therefor; ground handling equip-
12 ment, and training devices; expansion of public and pri-
13 vate plants, Government-owned equipment and installa-
14 tion thereof in such plants, erection of structures, and ac-
15 quisition of land, for the foregoing purposes, and such
16 lands and interests therein, may be acquired, and con-
17 struction prosecuted thereon prior to approval of title; re-
18 serve plant and Government and contractor-owned equip-
19 ment layaway; and other expenses necessary for the fore-
20 going purposes including rents and transportation of
21 things, \$5,590,622,000, to remain available for obligation
22 until September 30, 2026.

23 PROCUREMENT OF AMMUNITION, AIR FORCE

24 For construction, procurement, production, and
25 modification of ammunition, and accessories therefor; spe-

1 cialized equipment and training devices; expansion of pub-
2 lic and private plants, including ammunition facilities, au-
3 thorized by section 2854 of title 10, United States Code,
4 and the land necessary therefor, for the foregoing pur-
5 poses, and such lands and interests therein, may be ac-
6 quired, and construction prosecuted thereon prior to ap-
7 proval of title; and procurement and installation of equip-
8 ment, appliances, and machine tools in public and private
9 plants; reserve plant and Government and contractor-
10 owned equipment layaway; and other expenses necessary
11 for the foregoing purposes, \$636,579,000, to remain avail-
12 able for obligation until September 30, 2026.

13 OTHER PROCUREMENT, AIR FORCE

14 For procurement and modification of equipment (in-
15 cluding ground guidance and electronic control equipment,
16 and ground electronic and communication equipment),
17 and supplies, materials, and spare parts therefor, not oth-
18 erwise provided for; the purchase of passenger motor vehi-
19 cles for replacement only; lease of passenger motor vehi-
20 cles; and expansion of public and private plants, Govern-
21 ment-owned equipment and installation thereof in such
22 plants, erection of structures, and acquisition of land, for
23 the foregoing purposes, and such lands and interests
24 therein, may be acquired, and construction prosecuted
25 thereon, prior to approval of title; reserve plant and Gov-

1 ernment and contractor-owned equipment layaway,
2 \$30,397,452,000, to remain available for obligation until
3 September 30, 2026.

4 PROCUREMENT, SPACE FORCE

5 For construction, procurement, and modification of
6 spacecraft, rockets, and related equipment, including
7 spare parts and accessories therefor; ground handling
8 equipment, and training devices; expansion of public and
9 private plants, Government-owned equipment and installa-
10 tion thereof in such plants, erection of structures, and ac-
11 quisition of land, for the foregoing purposes, and such
12 lands and interests therein, may be acquired, and con-
13 struction prosecuted thereon prior to approval of title; re-
14 serve plant and Government and contractor-owned equip-
15 ment layaway; and other expenses necessary for the fore-
16 going purposes including rents and transportation of
17 things, \$4,034,798,000, to remain available for obligation
18 until September 30, 2026.

19 PROCUREMENT, DEFENSE-WIDE

20 For expenses of activities and agencies of the Depart-
21 ment of Defense (other than the military departments)
22 necessary for procurement, production, and modification
23 of equipment, supplies, materials, and spare parts there-
24 for, not otherwise provided for; the purchase of passenger
25 motor vehicles for replacement only; expansion of public

1 and private plants, equipment, and installation thereof in
2 such plants, erection of structures, and acquisition of land
3 for 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 \$6,059,196,000, to remain available for obligation until
8 September 30, 2026.

9 DEFENSE PRODUCTION ACT PURCHASES

10 For activities by the Department of Defense pursuant
11 to sections 108, 301, 302, and 303 of the Defense Produc-
12 tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),
13 \$431,212,000, to remain available until expended, which
14 shall be obligated and expended by the Secretary of De-
15 fense as if delegated the necessary authorities conferred
16 by the Defense Production Act of 1950.

17 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

18 For procurement of rotary-wing aircraft; combat, tac-
19 tical and support vehicles; other weapons; and other pro-
20 curement items for the reserve components of the Armed
21 Forces, \$850,000,000, to remain available for obligation
22 until September 30, 2026: *Provided*, That the Chiefs of
23 National Guard and Reserve components shall, not later
24 than 30 days after enactment of this Act, individually sub-
25 mit to the congressional defense committees the mod-

1 ernization priority assessment for their respective Na-
2 tional Guard or Reserve component: *Provided further,*
3 That none of the funds made available by this paragraph
4 may be used to procure manned fixed wing aircraft, or
5 procure or modify missiles, munitions, or ammunition.

1 TITLE IV
2 RESEARCH, DEVELOPMENT, TEST AND
3 EVALUATION

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
5 ARMY

6 For expenses necessary for basic and applied sci-
7 entific research, development, test and evaluation, includ-
8 ing maintenance, rehabilitation, lease, and operation of fa-
9 cilities and equipment, \$15,893,354,000, to remain avail-
10 able for obligation until September 30, 2025.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
12 NAVY

13 For expenses necessary for basic and applied sci-
14 entific research, development, test and evaluation, includ-
15 ing maintenance, rehabilitation, lease, and operation of fa-
16 cilities and equipment, \$26,362,009,000, to remain avail-
17 able for obligation until September 30, 2025: *Provided*,
18 That funds appropriated in this paragraph which are
19 available for the V-22 may be used to meet unique oper-
20 ational requirements of the Special Operations Forces.

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

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

1 cilities and equipment, \$45,675,802,000, to remain avail-
2 able for obligation until September 30, 2025.

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
4 SPACE 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, \$18,842,930,000, to remain avail-
9 able until September 30, 2025.

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

12 For expenses of activities and agencies of the Depart-
13 ment of Defense (other than the military departments),
14 necessary for basic and applied scientific research, devel-
15 opment, test and evaluation; advanced research projects
16 as may be designated and determined by the Secretary
17 of Defense, pursuant to law; maintenance, rehabilitation,
18 lease, and operation of facilities and equipment,
19 \$36,271,140,000, to remain available for obligation until
20 September 30, 2025.

21 OPERATIONAL TEST AND EVALUATION, DEFENSE

22 For expenses, not otherwise provided for, necessary
23 for the independent activities of the Director, Operational
24 Test and Evaluation, in the direction and supervision of
25 operational test and evaluation, including initial oper-

1 ational test and evaluation which is conducted prior to,
2 and in support of, production decisions; joint operational
3 testing and evaluation; and administrative expenses in
4 connection therewith, \$337,489,000, to remain available
5 for obligation until September 30, 2025.

6

TITLE V

7

REVOLVING AND MANAGEMENT FUNDS

8

DEFENSE WORKING CAPITAL FUNDS

9

For the Defense Working Capital Funds,

10 \$1,795,079,000.

1 TITLE VI
2 OTHER DEPARTMENT OF DEFENSE PROGRAMS
3 DEFENSE HEALTH PROGRAM

4 For expenses, not otherwise provided for, for medical
5 and health care programs of the Department of Defense
6 as authorized by law, \$39,085,201,000; of which
7 \$36,774,417,000 shall be for operation and maintenance,
8 of which not to exceed one percent shall remain available
9 for obligation until September 30, 2025, and of which up
10 to \$19,776,328,000 may be available for contracts entered
11 into under the TRICARE program; of which
12 \$353,811,000, to remain available for obligation until Sep-
13 tember 30, 2026, shall be for procurement; and of which
14 \$1,956,973,000, to remain available for obligation until
15 September 30, 2025, shall be for research, development,
16 test and evaluation: *Provided*, That of the funds provided
17 under this heading for research, development, test and
18 evaluation, not less than \$864,500,000 shall be made
19 available to the Defense Health Agency to carry out the
20 congressionally directed medical research programs.

21 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
22 DEFENSE

23 For expenses, not otherwise provided for, necessary
24 for the destruction of the United States stockpile of lethal
25 chemical agents and munitions in accordance with the pro-

1 visions of section 1412 of the Department of Defense Au-
2 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
3 struction of other chemical warfare materials that are not
4 in the chemical weapon stockpile, \$1,091,844,000, of
5 which \$89,284,000 shall be for operation and mainte-
6 nance, of which not less than \$57,875,000 shall be for
7 the Chemical Stockpile Emergency Preparedness Pro-
8 gram, consisting of \$23,676,000 for activities on military
9 installations and \$34,199,000, to remain available until
10 September 30, 2025, to assist State and local govern-
11 ments; and \$1,002,560,000, to remain available until Sep-
12 tember 30, 2025, shall be for research, development, test
13 and evaluation, of which \$1,000,467,000 shall only be for
14 the Assembled Chemical Weapons Alternatives program.

15 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

16 DEFENSE

17 (INCLUDING TRANSFER OF FUNDS)

18 For drug interdiction and counter-drug activities of
19 the Department of Defense, for transfer to appropriations
20 available to the Department of Defense for military per-
21 sonnel of the reserve components serving under the provi-
22 sions of title 10 and title 32, United States Code; for oper-
23 ation and maintenance; for procurement; and for research,
24 development, test and evaluation, \$994,490,000, of which
25 \$622,593,000 shall be for counter-narcotics support;

1 \$134,313,000 shall be for the drug demand reduction pro-
2 gram; \$211,591,000 shall be for the National Guard
3 counter-drug program; and \$25,993,000 shall be for the
4 National Guard counter-drug schools program: *Provided*,
5 That the funds appropriated under this heading shall be
6 available for obligation for the same time period and for
7 the same purpose as the appropriation to which trans-
8 ferred: *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 *Provided further*, That the transfer authority provided
13 under this heading is in addition to any other transfer au-
14 thority contained elsewhere in this Act.

15 OFFICE OF THE INSPECTOR GENERAL

16 For expenses and activities of the Office of the In-
17 spector General in carrying out the provisions of the In-
18 spector General Act of 1978, as amended, \$525,365,000,
19 of which \$520,867,000 shall be for operation and mainte-
20 nance, of which not to exceed \$700,000 is available for
21 emergencies and extraordinary expenses to be expended
22 upon the approval or authority of the Inspector General,
23 and payments may be made upon the Inspector General's
24 certificate of necessity for confidential military purposes;
25 of which \$1,098,000, to remain available for obligation

1 until September 30, 2026, shall be for procurement; and
2 of which \$3,400,000, to remain available until September
3 30, 2025, shall be for research, development, test and eval-
4 uation.

- 1 TITLE VII
- 2 RELATED AGENCIES
- 3 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
- 4 DISABILITY SYSTEM FUND
- 5 For payment to the Central Intelligence Agency Re-
- 6 tirement and Disability System Fund, to maintain the
- 7 proper funding level for continuing the operation of the
- 8 Central Intelligence Agency Retirement and Disability
- 9 System, \$514,000,000.
- 10 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT
- 11 For necessary expenses of the Intelligence Commu-
- 12 nity Management Account, \$601,442,000.

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TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense:

Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

1 appropriated and in no case where the item for which
2 funds are requested has been denied by the Congress: *Pro-*
3 *vided further*, That the Secretary of Defense shall notify
4 the Congress promptly of all transfers made pursuant to
5 this authority or any other authority in this Act: *Provided*
6 *further*, That no part of the funds in this Act shall be
7 available to prepare or present a request to the Commit-
8 tees on Appropriations of the House of Representatives
9 and the Senate for reprogramming of funds, unless for
10 higher priority items, based on unforeseen military re-
11 quirements, than those for which originally appropriated
12 and in no case where the item for which reprogramming
13 is requested has been denied by the Congress: *Provided*
14 *further*, That a request for multiple reprogrammings of
15 funds using authority provided in this section shall be
16 made prior to June 30, 2024: *Provided further*, That
17 transfers among military personnel appropriations shall
18 not be taken into account for purposes of the limitation
19 on the amount of funds that may be transferred under
20 this section.

21 SEC. 8006. (a) With regard to the list of specific pro-
22 grams, projects, and activities (and the dollar amounts
23 and adjustments to budget activities corresponding to
24 such programs, projects, and activities) contained in the
25 tables titled “Committee Recommended Adjustments” in

1 the report accompanying this Act and the tables contained
2 in the classified annex accompanying this Act, the obliga-
3 tion and expenditure of amounts appropriated or other-
4 wise made available in this Act for those programs,
5 projects, and activities for which the amounts appro-
6 priated exceed the amounts requested are hereby required
7 by law to be carried out in the manner provided by such
8 tables to the same extent as if the tables were included
9 in the text of this Act.

10 (b) Amounts specified in the referenced tables de-
11 scribed in subsection (a) shall not be treated as subdivi-
12 sions of appropriations for purposes of section 8005 of this
13 Act: *Provided*, That section 8005 of this Act shall apply
14 when transfers of the amounts described in subsection (a)
15 occur between appropriation accounts, subject to the limi-
16 tation in subsection (c): *Provided further*, That the trans-
17 fer amount limitation provided in section 8005 of this Act
18 shall not apply to transfers of amounts described in sub-
19 section (a) if such transfers are necessary for the proper
20 execution of such funds.

21 (c) During the current fiscal year, amounts specified
22 in the referenced tables described in subsection (a) may
23 not be transferred pursuant to section 8005 of this Act
24 other than for proper execution of such amounts, as pro-
25 vided in subsection (b).

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 2024: *Provided*, That
6 the report shall include—

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

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

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

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

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

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

12 (TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

14 Funds appropriated in title III of this Act may be
15 used for a multiyear procurement contract as follows:
16 Naval Strike Missile; Guided Multiple Launch Rocket Sys-
17 tem; Patriot Advanced Capability 3 Missile Segment En-
18 hancement; Long Range Anti-Ship Missile; Joint Air-to-
19 Surface Standoff Missile; Advanced Medium-Range Air-
20 to-Air Missile; Standard Missile-6; and 10 SSN Virginia
21 Class Submarines and Government-furnished equipment.

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

1 costs under chapter 20 of title 10, United States Code:
2 *Provided*, That such funds may also be obligated for hu-
3 manitarian and civic assistance costs incidental to author-
4 ized operations and pursuant to authority granted in sec-
5 tion 401 of title 10, United States Code, and these obliga-
6 tions shall be reported as required by section 401(d) of
7 title 10, United States Code: *Provided further*, That funds
8 available for operation and maintenance shall be available
9 for providing humanitarian and similar assistance by
10 using Civic Action Teams in the Trust Territories of the
11 Pacific Islands and freely associated states of Micronesia,
12 pursuant to the Compact of Free Association as author-
13 ized by Public Law 99–239: *Provided further*, That upon
14 a determination by the Secretary of the Army that such
15 action is beneficial for graduate medical education pro-
16 grams conducted at Army medical facilities located in Ha-
17 waii, the Secretary of the Army may authorize the provi-
18 sion of medical services at such facilities and transpor-
19 tation to such facilities, on a nonreimbursable basis, for
20 civilian patients from American Samoa, the Common-
21 wealth of the Northern Mariana Islands, the Marshall Is-
22 lands, the Federated States of Micronesia, Palau, and
23 Guam.

24 SEC. 8012. (a) During the current fiscal year, the
25 civilian personnel of the Department of Defense may not

1 be managed on the basis of any constraint or limitation
2 in terms of man years, end strength, full-time equivalent
3 positions, or maximum number of employees, but are to
4 be managed solely on the basis of, and in a manner con-
5 sistent with—

6 (1) the total force management policies and
7 procedures established under section 129a of title
8 10, United States Code;

9 (2) the workload required to carry out the func-
10 tions and activities of the Department; and

11 (3) the funds made available to the Department
12 for such fiscal year.

13 (b) None of the funds appropriated by this Act may
14 be used to reduce the civilian workforce programmed full
15 time equivalent levels absent the appropriate analysis of
16 the impact of these reductions on workload, military force
17 structure, lethality, readiness, operational effectiveness,
18 stress on the military force, and fully burdened costs.

19 (c) A projection of the number of full-time equivalent
20 positions shall not be considered a constraint or limitation
21 for purposes of subsection (a) and reducing funding for
22 under-execution of such a projection shall not be consid-
23 ered managing based on a constraint or limitation for pur-
24 poses of such subsection.

1 (d) The fiscal year 2025 budget request for the De-
2 partment of Defense, and any justification material and
3 other documentation supporting such a request, shall be
4 prepared and submitted to Congress as if subsections (a)
5 and (b) were effective with respect to such fiscal year.

6 (e) Nothing in this section shall be construed to apply
7 to military (civilian) technicians.

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

12 SEC. 8014. None of the funds available in this Act
13 to the Department of Defense, other than appropriations
14 made for necessary or routine refurbishments, upgrades,
15 or maintenance activities, shall be used to reduce or to
16 prepare to reduce the number of deployed and non-de-
17 ployed strategic delivery vehicles and launchers below the
18 levels set forth in the report submitted to Congress in ac-
19 cordance with section 1042 of the National Defense Au-
20 thorization Act for Fiscal Year 2012.

21 (TRANSFER OF FUNDS)

22 SEC. 8015. (a) Funds appropriated in title III of this
23 Act for the Department of Defense Pilot Mentor-Protégé
24 Program may be transferred to any other appropriation
25 contained in this Act solely for the purpose of imple-

1 mentoring a Mentor-Protégé Program developmental assist-
2 ance agreement pursuant to section 4902 of title 10,
3 United States Code, under the authority of this provision
4 or any other transfer authority contained in this Act.

5 (b) The Secretary of Defense shall include with the
6 budget justification documents in support of the budget
7 for fiscal year 2025 (as submitted to Congress pursuant
8 to section 1105 of title 31, United States Code) a descrip-
9 tion of each transfer under this section that occurred dur-
10 ing the last fiscal year before the fiscal year in which such
11 budget is submitted.

12 SEC. 8016. None of the funds in this Act may be
13 available for the purchase by the Department of Defense
14 (and its departments and agencies) of welded shipboard
15 anchor and mooring chain unless the anchor and mooring
16 chain are manufactured in the United States from compo-
17 nents which are substantially manufactured in the United
18 States: *Provided*, That for the purpose of this section, the
19 term “manufactured” shall include cutting, heat treating,
20 quality control, testing of chain and welding (including the
21 forging and shot blasting process): *Provided further*, That
22 for the purpose of this section substantially all of the com-
23 ponents of anchor and mooring chain shall be considered
24 to be produced or manufactured in the United States if
25 the aggregate cost of the components produced or manu-

1 factured in the United States exceeds the aggregate cost
2 of the components produced or manufactured outside the
3 United States: *Provided further*, That when adequate do-
4 mestic supplies are not available to meet Department of
5 Defense requirements on a timely basis, the Secretary of
6 the Service responsible for the procurement may waive this
7 restriction on a case-by-case basis by certifying in writing
8 to the Committees on Appropriations of the House of Rep-
9 resentatives and the Senate that such an acquisition must
10 be made in order to acquire capability for national security
11 purposes.

12 SEC. 8017. None of the funds appropriated by this
13 Act shall be used for the support of any nonappropriated
14 funds activity of the Department of Defense that procures
15 malt beverages and wine with nonappropriated funds for
16 resale (including such alcoholic beverages sold by the
17 drink) on a military installation located in the United
18 States unless such malt beverages and wine are procured
19 within that State, or in the case of the District of Colum-
20 bia, within the District of Columbia, in which the military
21 installation is located: *Provided*, That, in a case in which
22 the military installation is located in more than one State,
23 purchases may be made in any State in which the installa-
24 tion is located: *Provided further*, That such local procure-
25 ment requirements for malt beverages and wine shall

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

7 SEC. 8018. None of the funds available to the De-
8 partment of Defense may be used to demilitarize or dis-
9 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,
10 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or
11 to demilitarize or destroy small arms ammunition or am-
12 munition components that are not otherwise prohibited
13 from commercial sale under Federal law, unless the small
14 arms ammunition or ammunition components are certified
15 by the Secretary of the Army or designee as unserviceable
16 or unsafe for further use.

17 SEC. 8019. No more than \$500,000 of the funds ap-
18 propriated or made available in this Act shall be used dur-
19 ing a single fiscal year for any single relocation of an orga-
20 nization, unit, activity or function of the Department of
21 Defense into or within the National Capital Region: *Pro-*
22 *vided*, That the Secretary of Defense may waive this re-
23 striction on a case-by-case basis by certifying in writing
24 to the congressional defense committees that such a relo-
25 cation is required in the best interest of the Government.

1 SEC. 8020. Of the funds made available in this Act
2 under the heading “Procurement, Defense-Wide”,
3 \$25,169,000 shall be available only for incentive payments
4 authorized by section 504 of the Indian Financing Act of
5 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor
6 or a subcontractor at any tier that makes a subcontract
7 award to any subcontractor or supplier as defined in sec-
8 tion 1544 of title 25, United States Code, or a small busi-
9 ness owned and controlled by an individual or individuals
10 defined under section 4221(9) of title 25, United States
11 Code, shall be considered a contractor for the purposes
12 of being allowed additional compensation under section
13 504 of the Indian Financing Act of 1974 (25 U.S.C.
14 1544) whenever the prime contract or subcontract amount
15 is over \$500,000 and involves the expenditure of funds
16 appropriated by an Act making appropriations for the De-
17 partment of Defense with respect to any fiscal year: *Pro-*
18 *vided further*, That notwithstanding section 1906 of title
19 41, United States Code, this section shall be applicable
20 to any Department of Defense acquisition of supplies or
21 services, including any contract and any subcontract at
22 any tier for acquisition of commercial items produced or
23 manufactured, in whole or in part, by any subcontractor
24 or supplier defined in section 1544 of title 25, United
25 States Code, or a small business owned and controlled by

1 an individual or individuals defined under section 4221(9)
2 of title 25, United States Code.

3 SEC. 8021. (a) Notwithstanding any other provision
4 of law, the Secretary of the Air Force may convey at no
5 cost to the Air Force, without consideration, to Indian
6 tribes located in the States of Nevada, Idaho, North Da-
7 kota, South Dakota, Montana, Oregon, Minnesota, and
8 Washington relocatable military housing units located at
9 Grand Forks Air Force Base, Malmstrom Air Force Base,
10 Mountain Home Air Force Base, Ellsworth Air Force
11 Base, and Minot Air Force Base that are excess to the
12 needs of the Air Force.

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

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

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

3 (d) In this section, the term “Indian tribe” means
4 any recognized Indian tribe included on the current list
5 published by the Secretary of the Interior under section
6 104 of the Federally Recognized Indian Tribe Act of 1994
7 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 5131).

8 SEC. 8022. Of the funds appropriated to the Depart-
9 ment of Defense under the heading “Operation and Main-
10 tenance, Defense-Wide”, not less than \$12,000,000 may
11 be made available only for the mitigation of environmental
12 impacts, including training and technical assistance to
13 tribes, related administrative support, the gathering of in-
14 formation, documenting of environmental damage, and de-
15 veloping a system for prioritization of mitigation and cost
16 to complete estimates for mitigation, on Indian lands re-
17 sulting from Department of Defense activities.

18 SEC. 8023. Funds appropriated by this Act for the
19 Defense Media Activity shall not be used for any national
20 or international political or psychological activities.

21 SEC. 8024. Of the amounts appropriated for “Work-
22 ing Capital Fund, Army”, \$120,000,000 shall be available
23 to maintain competitive rates at the arsenals.

1 SEC. 8025. (a) Of the funds made available in this
2 Act, not less than \$69,000,000 shall be available for the
3 Civil Air Patrol Corporation, of which—

4 (1) \$55,100,000 shall be available from “Oper-
5 ation and Maintenance, Air Force” to support Civil
6 Air Patrol Corporation operation and maintenance,
7 readiness, counter-drug activities, and drug demand
8 reduction activities involving youth programs;

9 (2) \$11,900,000 shall be available from “Air-
10 craft Procurement, Air Force”; and

11 (3) \$2,000,000 shall be available from “Other
12 Procurement, Air Force” for vehicle procurement.

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

17 SEC. 8026. (a) None of the funds appropriated in this
18 Act are available to establish a new Department of De-
19 fense (department) federally funded research and develop-
20 ment center (FFRDC), either as a new entity, or as a
21 separate entity administrated by an organization man-
22 aging another FFRDC, or as a nonprofit membership cor-
23 poration consisting of a consortium of other FFRDCs and
24 other nonprofit entities.

1 (b) Except when acting in a technical advisory capac-
2 ity, no member of a Board of Directors, Trustees, Over-
3 seers, Advisory Group, Special Issues Panel, Visiting Com-
4 mittee, or any similar entity of a defense FFRDC, or any
5 entity that contracts with the Federal government to man-
6 age or operate one or more FFRDCs, or any paid consult-
7 ant to a defense FFRDC shall receive funds appropriated
8 by this Act as compensation for services as a member of
9 such entity: *Provided*, That a member of any such entity
10 shall be allowed travel expenses and per diem as author-
11 ized under the Federal Joint Travel Regulations, when en-
12 gaged in the performance of membership duties: *Provided*
13 *further*, That no paid consultant shall receive funds appro-
14 priated by this Act as compensation by more than one
15 FFRDC in a calendar year.

16 (c) Notwithstanding any other provision of law, none
17 of the funds available to the department from any source
18 during the current fiscal year may be used by a defense
19 FFRDC, through a fee or other payment mechanism, for
20 construction of new buildings not located on a military in-
21 stallation, for payment of cost sharing for projects funded
22 by Government grants, for absorption of contract over-
23 runs, or for certain charitable contributions, not to include
24 employee participation in community service and/or devel-
25 opment.

1 (d) Notwithstanding any other provision of law, of
2 the funds available to the department during fiscal year
3 2024, not more than \$2,857,803,000 may be funded for
4 professional technical staff-related costs of the defense
5 FFRDCs: *Provided*, That within such funds, not more
6 than \$456,803,000 shall be available for the defense stud-
7 ies and analysis FFRDCs: *Provided further*, That this sub-
8 section shall not apply to staff years funded in the Na-
9 tional Intelligence Program and the Military Intelligence
10 Program: *Provided further*, That the Secretary of Defense
11 shall, with the submission of the department's fiscal year
12 2025 budget request, submit a report presenting the spe-
13 cific amounts of staff years of technical effort to be allo-
14 cated for each defense FFRDC by program during that
15 fiscal year and the associated budget estimates, by appro-
16 priation account and program.

17 (e) Notwithstanding any other provision of this Act,
18 the total amount appropriated in this Act for FFRDCs
19 is hereby reduced by \$27,197,000: *Provided*, That this
20 subsection shall not apply to appropriations for the Na-
21 tional Intelligence Program and Military Intelligence Pro-
22 gram.

23 SEC. 8027. For the purposes of this Act, the term
24 "congressional defense committees" means the Armed
25 Services Committee of the House of Representatives, the

1 Armed Services Committee of the Senate, the Sub-
2 committee on Defense of the Committee on Appropriations
3 of the House of Representatives, and the Subcommittee
4 on Defense of the Committee on Appropriations of the
5 Senate.

6 SEC. 8028. For the purposes of this Act, the term
7 “congressional intelligence committees” means the Perma-
8 nent Select Committee on Intelligence of the House of
9 Representatives, the Select Committee on Intelligence of
10 the Senate, the Subcommittee on Defense of the Com-
11 mittee on Appropriations of the House of Representatives,
12 and the Subcommittee on Defense of the Committee on
13 Appropriations of the Senate.

14 SEC. 8029. During the current fiscal year, the De-
15 partment of Defense may acquire the modification, depot
16 maintenance and repair of aircraft, vehicles and vessels
17 as well as the production of components and other De-
18 fense-related articles, through competition between De-
19 partment of Defense depot maintenance activities and pri-
20 vate firms: *Provided*, That the Senior Acquisition Execu-
21 tive of the military department or Defense Agency con-
22 cerned, with power of delegation, shall certify that success-
23 ful bids include comparable estimates of all direct and in-
24 direct costs for both public and private bids: *Provided fur-*
25 *ther*, That Office of Management and Budget Circular A-

1 76 shall not apply to competitions conducted under this
2 section.

3 SEC. 8030. (a) None of the funds appropriated in this
4 Act may be expended by an entity of the Department of
5 Defense unless the entity, in expending the funds, com-
6 plies with the Buy American Act. For purposes of this
7 subsection, the term “Buy American Act” means chapter
8 83 of title 41, United States Code.

9 (b) If the Secretary of Defense determines that a per-
10 son has been convicted of intentionally affixing a label
11 bearing a “Made in America” inscription to any product
12 sold in or shipped to the United States that is not made
13 in America, the Secretary shall determine, in accordance
14 with section 4658 of title 10, United States Code, whether
15 the person should be debarred from contracting with the
16 Department of Defense.

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

1 SEC. 8031. None of the funds appropriated or made
2 available in this Act shall be used to procure carbon, alloy,
3 or armor steel plate for use in any Government-owned fa-
4 cility or property under the control of the Department of
5 Defense which were not melted and rolled in the United
6 States or Canada: *Provided*, That these procurement re-
7 strictions shall apply to any and all Federal Supply Class
8 9515, American Society of Testing and Materials (ASTM)
9 or American Iron and Steel Institute (AISI) specifications
10 of carbon, alloy or armor steel plate: *Provided further*,
11 That the Secretary of the military department responsible
12 for the procurement may waive this restriction on a case-
13 by-case basis by certifying in writing to the Committees
14 on Appropriations of the House of Representatives and the
15 Senate that adequate domestic supplies are not available
16 to meet Department of Defense requirements on a timely
17 basis and that such an acquisition must be made in order
18 to acquire capability for national security purposes: *Pro-*
19 *vided further*, That these restrictions shall not apply to
20 contracts which are in being as of the date of the enact-
21 ment of this Act.

22 SEC. 8032. (a)(1) If the Secretary of Defense, after
23 consultation with the United States Trade Representative,
24 determines that a foreign country which is party to an
25 agreement described in paragraph (2) has violated the

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

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

13 (b) The Secretary of Defense shall submit to the Con-
14 gress a report on the amount of Department of Defense
15 purchases from foreign entities in fiscal year 2024. Such
16 report shall separately indicate the dollar value of items
17 for which the Buy American Act was waived pursuant to
18 any agreement described in subsection (a)(2), the Trade
19 Agreements Act of 1979 (19 U.S.C. 2501 et seq.), or any
20 international agreement to which the United States is a
21 party.

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

1 SEC. 8033. None of the funds appropriated by this
2 Act may be used for the procurement of ball and roller
3 bearings other than those produced by a domestic source
4 and of domestic origin: *Provided*, That the Secretary of
5 the military department responsible for such procurement
6 may waive this restriction on a case-by-case basis by certi-
7 fying in writing to the Committees on Appropriations of
8 the House of Representatives and the Senate, that ade-
9 quate domestic supplies are not available to meet Depart-
10 ment of Defense requirements on a timely basis and that
11 such an acquisition must be made in order to acquire ca-
12 pability for national security purposes: *Provided further*,
13 That this restriction shall not apply to the purchase of
14 “commercial products”, as defined by section 103 of title
15 41, United States Code, except that the restriction shall
16 apply to ball or roller bearings purchased as end items.

17 SEC. 8034. In addition to any other funds made
18 available for such purposes, there is appropriated
19 \$207,629,000, for an additional amount for the “National
20 Defense Stockpile Transaction Fund”, to remain available
21 until September 30, 2026, for activities pursuant to the
22 Strategic and Critical Materials Stock Piling Act (50
23 U.S.C. 98 et seq.): *Provided*, That none of the funds pro-
24 vided under this section may be obligated or expended
25 until 30 days after the Secretary of Defense provides the

1 Committees on Appropriations of the House of Represent-
2 atives and the Senate a detailed execution plan for such
3 funds.

4 SEC. 8035. None of the funds in this Act may be
5 used to purchase any supercomputer which is not manu-
6 factured in the United States, unless the Secretary of De-
7 fense certifies to the congressional defense committees
8 that such an acquisition must be made in order to acquire
9 capability for national security purposes that is not avail-
10 able from United States manufacturers.

11 SEC. 8036. (a) The Secretary of Defense may, on a
12 case-by-case basis, waive with respect to a foreign country
13 each limitation on the procurement of defense items from
14 foreign sources provided in law if the Secretary determines
15 that the application of the limitation with respect to that
16 country would invalidate cooperative programs entered
17 into between the Department of Defense and the foreign
18 country, or would invalidate reciprocal trade agreements
19 for the procurement of defense items entered into under
20 section 2531 of title 10, United States Code, and the
21 country does not discriminate against the same or similar
22 defense items produced in the United States for that coun-
23 try.

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

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

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

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

17 SEC. 8037. None of the funds made available in this
18 Act, or any subsequent Act making appropriations for the
19 Department of Defense, may be used for the purchase or
20 manufacture of a flag of the United States unless such
21 flags are treated as covered items under section 4862(b)
22 of title 10, United States Code.

23 SEC. 8038. During the current fiscal year, amounts
24 contained in the Department of Defense Overseas Military
25 Facility Investment Recovery Account shall be available

1 until expended for the payments specified by section
2 2687a(b)(2) of title 10, United States Code.

3 SEC. 8039. During the current fiscal year, appropria-
4 tions which are available to the Department of Defense
5 for operation and maintenance may be used to purchase
6 items having an investment item unit cost of not more
7 than \$350,000: *Provided*, That upon determination by the
8 Secretary of Defense that such action is necessary to meet
9 the operational requirements of a Commander of a Com-
10 batant Command engaged in a named contingency oper-
11 ation overseas, such funds may be used to purchase items
12 having an investment item unit cost of not more than
13 \$500,000.

14 SEC. 8040. Up to \$13,809,000 of the funds appro-
15 priated under the heading “Operation and Maintenance,
16 Navy” may be made available for the Asia Pacific Re-
17 gional Initiative Program for the purpose of enabling the
18 United States Indo-Pacific Command to execute Theater
19 Security Cooperation activities such as humanitarian as-
20 sistance, and payment of incremental and personnel costs
21 of training and exercising with foreign security forces:
22 *Provided*, That funds made available for this purpose may
23 be used, notwithstanding any other funding authorities for
24 humanitarian assistance, security assistance or combined
25 exercise expenses: *Provided further*, That funds may not

1 be obligated to provide assistance to any foreign country
2 that is otherwise prohibited from receiving such type of
3 assistance under any other provision of law.

4 SEC. 8041. The Secretary of Defense shall issue reg-
5 ulations to prohibit the sale of any tobacco or tobacco-
6 related products in military resale outlets in the United
7 States, its territories and possessions at a price below the
8 most competitive price in the local community: *Provided*,
9 That such regulations shall direct that the prices of to-
10 bacco or tobacco-related products in overseas military re-
11 tail outlets shall be within the range of prices established
12 for military retail system stores located in the United
13 States.

14 SEC. 8042. (a) During the current fiscal year, none
15 of the appropriations or funds available to the Department
16 of Defense Working Capital Funds shall be used for the
17 purchase of an investment item for the purpose of acquir-
18 ing a new inventory item for sale or anticipated sale dur-
19 ing the current fiscal year or a subsequent fiscal year to
20 customers of the Department of Defense Working Capital
21 Funds if such an item would not have been chargeable
22 to the Department of Defense Business Operations Fund
23 during fiscal year 1994 and if the purchase of such an
24 investment item would be chargeable during the current

1 fiscal year to appropriations made to the Department of
2 Defense for procurement.

3 (b) The fiscal year 2025 budget request for the De-
4 partment of Defense as well as all justification material
5 and other documentation supporting the fiscal year 2025
6 Department of Defense budget shall be prepared and sub-
7 mitted to the Congress on the basis that any equipment
8 which was classified as an end item and funded in a pro-
9 curement appropriation contained in this Act shall be
10 budgeted for in a proposed fiscal year 2025 procurement
11 appropriation and not in the supply management business
12 area or any other area or category of the Department of
13 Defense Working Capital Funds.

14 SEC. 8043. None of the funds appropriated by this
15 Act for programs of the Central Intelligence Agency shall
16 remain available for obligation beyond the current fiscal
17 year, except for funds appropriated for the Reserve for
18 Contingencies, which shall remain available until Sep-
19 tember 30, 2025: *Provided*, That funds appropriated,
20 transferred, or otherwise credited to the Central Intel-
21 ligence Agency Central Services Working Capital Fund
22 during this or any prior or subsequent fiscal year shall
23 remain available until expended: *Provided further*, That
24 any funds appropriated or transferred to the Central Intel-
25 ligence Agency for advanced research and development ac-

1 quision, for agent operations, and for covert action pro-
2 grams authorized by the President under section 503 of
3 the National Security Act of 1947 (50 U.S.C. 3093) shall
4 remain available until September 30, 2025: *Provided fur-*
5 *ther*, That any funds appropriated or transferred to the
6 Central Intelligence Agency for the construction, improve-
7 ment, or alteration of facilities, including leased facilities,
8 to be used primarily by personnel of the intelligence com-
9 munity, shall remain available until September 30, 2026.

10 SEC. 8044. (a) None of the funds appropriated by
11 this Act shall be available to convert to contractor per-
12 formance an activity or function of the Department of De-
13 fense that, on or after the date of the enactment of this
14 Act, is performed by Department of Defense civilian em-
15 ployees unless—

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

20 (2) the Competitive Sourcing Official deter-
21 mines that, over all performance periods stated in
22 the solicitation of offers for performance of the ac-
23 tivity or function, the cost of performance of the ac-
24 tivity or function by a contractor would be less costly

1 to the Department of Defense by an amount that
2 equals or exceeds the lesser of—

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

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

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

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

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

22 (b)(1) The Department of Defense, without regard
23 to subsection (a) of this section or subsection (a), (b), or
24 (c) of section 2461 of title 10, United States Code, and
25 notwithstanding any administrative regulation, require-

1 ment, or policy to the contrary shall have full authority
2 to enter into a contract for the performance of any com-
3 mercial or industrial type function of the Department of
4 Defense that—

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

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

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

20 (2) This section shall not apply to depot contracts
21 or contracts for depot maintenance as provided in sections
22 2469 and 2474 of title 10, United States Code.

23 (c) The conversion of any activity or function of the
24 Department of Defense under the authority provided by
25 this section shall be credited toward any competitive or

1 outsourcing goal, target, or measurement that may be es-
2 tablished by statute, regulation, or policy and is deemed
3 to be awarded under the authority of, and in compliance
4 with, subsection (h) of section 2304 of title 10, United
5 States Code, for the competition or outsourcing of com-
6 mercial activities.

7 (RESCISSIONS)

8 SEC. 8045. Of the funds appropriated in Department
9 of Defense Appropriations Acts, the following funds are
10 hereby rescinded from the following accounts and pro-
11 grams in the specified amounts: *Provided*, That no
12 amounts may be rescinded from amounts that were des-
13 ignated by the Congress as an emergency requirement
14 pursuant to a concurrent resolution on the budget or the
15 Balanced Budget and Emergency Deficit Control Act of
16 1985:

17 “Other Procurement, Army”, 2022/2024,
18 \$10,000,000;

19 “Shipbuilding and Conversion, Navy: T-
20 AGOS”, 2022/2026, \$158,300,000;

21 “Other Procurement, Navy”, 2022/2024,
22 \$1,447,000;

23 “Aircraft Procurement, Air Force”, 2022/2024,
24 \$45,306,000;

1 “Procurement, Defense-Wide”, 2022/2024,
2 \$204,000;
3 “Operation and Maintenance, Defense-Wide”,
4 2023/2024, \$24,000,000;
5 “Counter-ISIS Train and Equip Fund”, 2023/
6 2024, \$48,000,000;
7 “Other Procurement, Army”, 2023/2025,
8 \$58,962,000;
9 “Aircraft Procurement, Navy”, 2023/2025,
10 \$225,323,000;
11 “Procurement of Ammunition, Navy and Ma-
12 rine Corps”, 2023/2025, \$2,262,000;
13 “Shipbuilding and Conversion, Navy: DDG-51
14 Advance Procurement”, 2023/2027, \$77,300,000;
15 “Shipbuilding and Conversion, Navy: LPD
16 Flight II Advance Procurement”, 2023/2027,
17 \$250,000,000;
18 “Other Procurement, Navy”, 2023/2025,
19 \$4,695,000;
20 “Aircraft Procurement, Air Force”, 2023/2025,
21 \$223,620,000;
22 “Other Procurement, Air Force”, 2023/2025,
23 \$37,100,000;
24 “Procurement, Space Force”, 2023/2025,
25 \$159,566,000;

1 “Procurement, Defense-Wide”, 2023/2025,
2 \$23,019,000;

3 “Research, Development, Test and Evaluation,
4 Army”, 2023/2024, \$26,170,000;

5 “Research, Development, Test and Evaluation,
6 Navy”, 2023/2024, \$116,061,000;

7 “Research, Development, Test and Evaluation,
8 Air Force”, 2023/2024, \$63,624,000;

9 “Research, Development, Test and Evaluation,
10 Space Force”, 2023/2024, \$16,878,000; and

11 “Research, Development, Test and Evaluation,
12 Defense-Wide”, 2023/2024, \$75,986,000.

13 SEC. 8046. None of the funds made available in this
14 Act may be used to reduce the authorized positions for
15 military technicians (dual status) of the Army National
16 Guard, Air National Guard, Army Reserve and Air Force
17 Reserve for the purpose of applying any administratively
18 imposed civilian personnel ceiling, freeze, or reduction on
19 military technicians (dual status), unless such reductions
20 are a direct result of a reduction in military force struc-
21 ture.

22 SEC. 8047. None of the funds appropriated or other-
23 wise made available in this Act may be obligated or ex-
24 pended for assistance to the Democratic People’s Republic
25 of Korea unless specifically appropriated for that purpose:

1 *Provided*, That this restriction shall not apply to any ac-
2 tivities incidental to the Defense POW/MIA Accounting
3 Agency mission to recover and identify the remains of
4 United States Armed Forces personnel from the Demo-
5 cratic People's Republic of Korea.

6 SEC. 8048. In this fiscal year and each fiscal year
7 thereafter, funds appropriated for operation and mainte-
8 nance of the Military Departments, Combatant Com-
9 mands and Defense Agencies shall be available for reim-
10 bursement of pay, allowances and other expenses which
11 would otherwise be incurred against appropriations for the
12 National Guard and Reserve when members of the Na-
13 tional Guard and Reserve provide intelligence or counter-
14 intelligence support to Combatant Commands, Defense
15 Agencies and Joint Intelligence Activities, including the
16 activities and programs included within the National Intel-
17 ligence Program and the Military Intelligence Program:
18 *Provided*, That nothing in this section authorizes deviation
19 from established Reserve and National Guard personnel
20 and training procedures.

21 SEC. 8049. (a) None of the funds available to the
22 Department of Defense for any fiscal year for drug inter-
23 diction or counter-drug activities may be transferred to
24 any other department or agency of the United States ex-
25 cept as specifically provided in an appropriations law.

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

6 SEC. 8050. In addition to the amounts appropriated
7 or otherwise made available elsewhere in this Act,
8 \$24,000,000 is hereby appropriated to the Department of
9 Defense: *Provided*, That upon the determination of the
10 Secretary of Defense that it shall serve the national inter-
11 est, the Secretary shall make grants in the amounts speci-
12 fied as follows: \$24,000,000 to the United Service Organi-
13 zations.

14 SEC. 8051. Notwithstanding any other provision in
15 this Act, the Small Business Innovation Research program
16 and the Small Business Technology Transfer program set-
17 asides shall be taken proportionally from all programs,
18 projects, or activities to the extent they contribute to the
19 extramural budget. The Secretary of each military depart-
20 ment, the Director of each Defense Agency, and the head
21 of each other relevant component of the Department of
22 Defense shall submit to the congressional defense commit-
23 tees, concurrent with submission of the budget justifica-
24 tion documents to Congress pursuant to section 1105 of
25 title 31, United States Code, a report with a detailed ac-

1 counting of the Small Business Innovation Research pro-
2 gram and the Small Business Technology Transfer pro-
3 gram set-asides taken from programs, projects, or activi-
4 ties within such department, agency, or component during
5 the most recently completed fiscal year.

6 SEC. 8052. None of the funds available to the De-
7 partment of Defense under this Act shall be obligated or
8 expended to pay a contractor under a contract with the
9 Department of Defense for costs of any amount paid by
10 the contractor to an employee when—

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

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

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 8053. During the current fiscal year, no more
18 than \$30,000,000 of appropriations made in this Act
19 under the heading “Operation and Maintenance, Defense-
20 Wide” may be transferred to appropriations available for
21 the pay of military personnel, to be merged with, and to
22 be available for the same time period as the appropriations
23 to which transferred, to be used in support of such per-
24 sonnel in connection with support and services for eligible
25 organizations and activities outside the Department of De-

1 fense pursuant to section 2012 of title 10, United States
2 Code.

3 SEC. 8054. During the current fiscal year, in the case
4 of an appropriation account of the Department of Defense
5 for which the period of availability for obligation has ex-
6 pired or which has closed under the provisions of section
7 1552 of title 31, United States Code, and which has a
8 negative unliquidated or unexpended balance, an obliga-
9 tion or an adjustment of an obligation may be charged
10 to any current appropriation account for the same purpose
11 as the expired or closed account if—

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

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

19 (3) in the case of an expired account, the obli-
20 gation is not chargeable to a current appropriation
21 of the Department of Defense under the provisions
22 of section 1405(b)(8) of the National Defense Au-
23 thorization Act for Fiscal Year 1991, Public Law
24 101–510, as amended (31 U.S.C. 1551 note): *Pro-*
25 *vided*, That in the case of an expired account, if sub-

1 sequent review or investigation discloses that there
2 was not in fact a negative unliquidated or unex-
3 pended balance in the account, any charge to a cur-
4 rent account under the authority of this section shall
5 be reversed and recorded against the expired ac-
6 count: *Provided further*, That the total amount
7 charged to a current appropriation under this sec-
8 tion may not exceed an amount equal to 1 percent
9 of the total appropriation for that account:

10 *Provided*, That the Under Secretary of Defense (Comp-
11 troller) shall include with the budget of the President for
12 fiscal year 2025 (as submitted to Congress pursuant to
13 section 1105 of title 31, United States Code) a statement
14 describing each instance if any, during each of the fiscal
15 years 2018 through 2024 in which the authority in this
16 section was exercised.

17 SEC. 8055. (a) Notwithstanding any other provision
18 of law, the Chief of the National Guard Bureau may per-
19 mit the use of equipment of the National Guard Distance
20 Learning Project by any person or entity on a space-avail-
21 able, reimbursable basis. The Chief of the National Guard
22 Bureau shall establish the amount of reimbursement for
23 such use on a case-by-case basis.

24 (b) Amounts collected under subsection (a) shall be
25 credited to funds available for the National Guard Dis-

1 tance Learning Project and be available to defray the costs
2 associated with the use of equipment of the project under
3 that subsection. Such funds shall be available for such
4 purposes without fiscal year limitation.

5 SEC. 8056. (a) None of the funds appropriated or
6 otherwise made available by this or prior Acts may be obli-
7 gated or expended to retire, prepare to retire, or place in
8 storage or on backup aircraft inventory status any C-40
9 aircraft.

10 (b) The limitation under subsection (a) shall not
11 apply to an individual C-40 aircraft that the Secretary of
12 the Air Force determines, on a case-by-case basis, to be
13 no longer mission capable due to a Class A mishap.

14 (c) If the Secretary determines under subsection (b)
15 that an aircraft is no longer mission capable, the Secretary
16 shall submit to the congressional defense committees a
17 certification in writing that the status of such aircraft is
18 due to a Class A mishap and not due to lack of mainte-
19 nance, repairs, or other reasons.

20 SEC. 8057. (a) None of the funds appropriated in
21 title IV of this Act may be used to procure end-items for
22 delivery to military forces for operational training, oper-
23 ational use, or inventory requirements: *Provided*, That this
24 restriction does not apply to end-items used in develop-
25 ment, prototyping in accordance with an approved test

1 strategy, and test activities preceding and leading to ac-
2 ceptance for operational use.

3 (b) If the number of end-items budgeted with funds
4 appropriated in title IV of this Act exceeds the number
5 required in an approved test strategy, the Under Secretary
6 of Defense (Research and Engineering) and the Under
7 Secretary of Defense (Acquisition and Sustainment), in
8 coordination with the responsible Service Acquisition Ex-
9 ecutive, shall certify in writing to the congressional de-
10 fense committees that there is a bonafide need for the ad-
11 ditional end-items at the time of submittal to Congress
12 of the budget of the President for fiscal year 2025 pursu-
13 ant to section 1105 of title 31, United States Code: *Pro-*
14 *vided*, That this restriction does not apply to programs
15 funded within the National Intelligence Program.

16 (c) The Secretary of Defense shall, at the time of the
17 submittal to Congress of the budget of the President for
18 fiscal year 2025 pursuant to section 1105 of title 31,
19 United States Code, submit to the congressional defense
20 committees a report detailing the use of funds requested
21 in research, development, test and evaluation accounts for
22 end-items used in development, prototyping and test ac-
23 tivities preceding and leading to acceptance for operational
24 use: *Provided*, That the report shall set forth, for each
25 end item covered by the preceding proviso, a detailed list

1 of the statutory authorities under which amounts in the
2 accounts described in that proviso were used for such item:
3 *Provided further*, That the Secretary of Defense shall, at
4 the time of the submittal to Congress of the budget of
5 the President for fiscal year 2025 pursuant to section
6 1105 of title 31, United States Code, submit to the con-
7 gressional defense committees a certification that funds
8 requested for fiscal year 2025 in research, development,
9 test and evaluation accounts are in compliance with this
10 section: *Provided further*, That the Secretary of Defense
11 may waive this restriction on a case-by-case basis by certi-
12 fying in writing to the Subcommittees on Defense of the
13 Committees on Appropriations of the House of Represent-
14 atives and the Senate that it is in the national security
15 interest to do so.

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

24 SEC. 8059. Notwithstanding any other provision of
25 law, funds appropriated in this Act under the heading

1 “Research, Development, Test and Evaluation, Defense-
2 Wide” for any new start defense innovation acceleration
3 or rapid prototyping program demonstration project with
4 a value of more than \$5,000,000 may only be obligated
5 15 days after a report, including a description of the
6 project, the planned acquisition and transition strategy
7 and its estimated annual and total cost, has been provided
8 in writing to the congressional defense committees: *Pro-*
9 *vided*, That the Secretary of Defense may waive this re-
10 striction on a case-by-case basis by certifying to the con-
11 gressional defense committees that it is in the national in-
12 terest to do so.

13 SEC. 8060. The Secretary of Defense shall continue
14 to provide a classified quarterly report to the Committees
15 on Appropriations of the House of Representatives and the
16 Senate, Subcommittees on Defense on certain matters as
17 directed in the classified annex accompanying this Act.

18 SEC. 8061. Notwithstanding section 12310(b) of title
19 10, United States Code, a Reserve who is a member of
20 the National Guard serving on full-time National Guard
21 duty under section 502(f) of title 32, United States Code,
22 may perform duties in support of the ground-based ele-
23 ments of the National Ballistic Missile Defense System.

24 SEC. 8062. None of the funds provided in this Act
25 may be used to transfer to any nongovernmental entity

1 ammunition held by the Department of Defense that has
2 a center-fire cartridge and a United States military no-
3 menclature designation of “armor penetrator”, “armor
4 piercing (AP)”, “armor piercing incendiary (API)”, or
5 “armor-piercing incendiary tracer (API-T)”, except to an
6 entity performing demilitarization services for the Depart-
7 ment of Defense under a contract that requires the entity
8 to demonstrate to the satisfaction of the Department of
9 Defense that armor piercing projectiles are either: (1) ren-
10 dered incapable of reuse by the demilitarization process;
11 or (2) used to manufacture ammunition pursuant to a con-
12 tract with the Department of Defense or the manufacture
13 of ammunition for export pursuant to a License for Per-
14 manent Export of Unclassified Military Articles issued by
15 the Department of State.

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

1 Chief of the National Guard Bureau, or their designee,
2 on a case-by-case basis.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8064. Of the amounts appropriated in this Act
5 under the heading “Operation and Maintenance, Army”,
6 \$175,943,968 shall remain available until expended: *Pro-*
7 *vided*, That, notwithstanding any other provision of law,
8 the Secretary of Defense is authorized to transfer such
9 funds to other activities of the Federal Government: *Pro-*
10 *vided further*, That the Secretary of Defense is authorized
11 to enter into and carry out contracts for the acquisition
12 of real property, construction, personal services, and oper-
13 ations related to projects carrying out the purposes of this
14 section: *Provided further*, That contracts entered into
15 under the authority of this section may provide for such
16 indemnification as the Secretary determines to be nec-
17 essary: *Provided further*, That projects authorized by this
18 section shall comply with applicable Federal, State, and
19 local law to the maximum extent consistent with the na-
20 tional security, as determined by the Secretary of Defense.

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

24 (1) the appropriations account structure for the
25 National Intelligence Program budget, including

1 through the creation of a new appropriation or new
2 appropriation account;

3 (2) how the National Intelligence Program
4 budget request is presented in the unclassified P-1,
5 R-1, and O-1 documents supporting the Depart-
6 ment of Defense budget request;

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

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

13 (b) Nothing in subsection (a) shall be construed to
14 prohibit the merger of programs or changes to the Na-
15 tional Intelligence Program budget at or below the Ex-
16 penditure Center level, provided such change is otherwise
17 in accordance with paragraphs (1)–(3) of subsection (a).

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

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

4 (1) provide the proposed alternatives to all af-
5 fected agencies;

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

10 (3) not later than 30 days after receiving all
11 necessary certifications under paragraph (2), present
12 the proposed alternatives and certifications to the
13 congressional defense and intelligence committees.

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 8066. In addition to amounts made available
16 elsewhere in this Act, \$400,000,000 is hereby appro-
17 priated to the Department of Defense and made available
18 for transfer to operation and maintenance accounts, pro-
19 curement accounts, and research, development, test and
20 evaluation accounts only for those efforts by the Com-
21 mander, United States Africa Command or Commander,
22 United States Southern Command to expand cooperation,
23 share operational information, advance interoperability, or
24 improve the capabilities of our allies and partners in their
25 areas of operation: *Provided*, That none of the funds pro-

1 vided under this section may be obligated or expended
 2 until 30 days after the Secretary of Defense provides to
 3 the congressional defense committees an execution plan:
 4 *Provided further*, That not less than 15 days prior to any
 5 transfer of funds, the Secretary of Defense shall notify
 6 the congressional defense committees of the details of any
 7 such transfer: *Provided further*, That upon transfer, the
 8 funds shall be merged with and available for the same pur-
 9 poses, and for the same time period, as the appropriation
 10 to which transferred: *Provided further*, That the transfer
 11 authority provided under this section is in addition to any
 12 other transfer authority provided elsewhere in this Act.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 8067. During the current fiscal year, not to ex-
 15 ceed \$11,000,000 from each of the appropriations made
 16 in title II of this Act for “Operation and Maintenance,
 17 Army”, “Operation and Maintenance, Navy”, and “Oper-
 18 ation and Maintenance, Air Force” may be transferred by
 19 the military department concerned to its central fund es-
 20 tablished for Fisher Houses and Suites pursuant to sec-
 21 tion 2493(d) of title 10, United States Code.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 8068. Of the amounts appropriated for “Oper-
 24 ation and Maintenance, Navy”, up to \$1,000,000 shall be
 25 available for transfer to the John C. Stennis Center for

1 Public Service Development Trust Fund established under
2 section 116 of the John C. Stennis Center for Public Serv-
3 ice Training and Development Act (2 U.S.C. 1105).

4 SEC. 8069. None of the funds available to the De-
5 partment of Defense may be obligated to modify command
6 and control relationships to give Fleet Forces Command
7 operational and administrative control of United States
8 Navy forces assigned to the Pacific fleet: *Provided*, That
9 the command and control relationships which existed on
10 October 1, 2004, shall remain in force until a written
11 modification has been proposed to the Committees on Ap-
12 propriations of the House of Representatives and the Sen-
13 ate: *Provided further*, That the proposed modification may
14 be implemented 30 days after the notification unless an
15 objection is received from either the House or Senate Ap-
16 propriations Committees: *Provided further*, That any pro-
17 posed modification shall not preclude the ability of the
18 commander of United States Indo-Pacific Command to
19 meet operational requirements.

20 SEC. 8070. Any notice that is required to be sub-
21 mitted to the Committees on Appropriations of the House
22 of Representatives and the Senate under section 3601 of
23 title 10, United States Code, as added by section 804(a)
24 of the James M. Inhofe National Defense Authorization
25 Act for Fiscal Year 2023 shall be submitted pursuant to

1 that requirement concurrently to the Subcommittees on
2 Defense of the Committees on Appropriations of the
3 House of Representatives and the Senate.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8071. Of the amounts appropriated in this Act
6 under the headings “Procurement, Defense-Wide” and
7 “Research, Development, Test and Evaluation, Defense-
8 Wide”, \$500,000,000 shall be for the Israeli Cooperative
9 Programs: *Provided*, That of this amount, \$80,000,000
10 shall be for the Secretary of Defense to provide to the Gov-
11 ernment of Israel for the procurement of the Iron Dome
12 defense system to counter short-range rocket threats, sub-
13 ject to the U.S.-Israel Iron Dome Procurement Agree-
14 ment, as amended; \$127,000,000 shall be for the Short
15 Range Ballistic Missile Defense (SRBMD) program, in-
16 cluding cruise missile defense research and development
17 under the SRBMD program; \$40,000,000 shall be for co-
18 production activities of SRBMD systems in the United
19 States and in Israel to meet Israel’s defense requirements
20 consistent with each nation’s laws, regulations, and proce-
21 dures, subject to the U.S.-Israeli co-production agreement
22 for SRBMD, as amended; \$80,000,000 shall be for an
23 upper-tier component to the Israeli Missile Defense Archi-
24 tecture, of which \$80,000,000 shall be for co-production
25 activities of Arrow 3 Upper Tier systems in the United

1 States and in Israel to meet Israel’s defense requirements
2 consistent with each nation’s laws, regulations, and proce-
3 dures, subject to the U.S.-Israeli co-production agreement
4 for Arrow 3 Upper Tier, as amended; and \$173,000,000
5 shall be for the Arrow System Improvement Program in-
6 cluding development of a long range, ground and airborne,
7 detection suite: *Provided further*, That the transfer author-
8 ity provided under this section is in addition to any other
9 transfer authority contained in this Act.

10 SEC. 8072. Of the amounts appropriated in this Act
11 under the heading “Shipbuilding and Conversion, Navy”,
12 \$1,390,093,000 shall be available until September 30,
13 2024, to fund prior year shipbuilding cost increases for
14 the following programs:

15 (1) Under the heading “Shipbuilding and Con-
16 version, Navy”, 2013/2024: Carrier Replacement
17 Program, \$624,600,000;

18 (2) Under the heading “Shipbuilding and Con-
19 version, Navy”, 2015/2024: Virginia Class Sub-
20 marine Program, \$43,419,000;

21 (3) Under the heading “Shipbuilding and Con-
22 version, Navy”, 2016/2024: Virginia Class Sub-
23 marine Program, \$100,115,000;

1 (4) Under the heading “Shipbuilding and Con-
2 version, Navy”, 2016/2024: DDG 51 Program,
3 \$104,090,000;

4 (5) Under the heading “Shipbuilding and Con-
5 version, Navy”, 2017/2024: Virginia Class Sub-
6 marine Program, \$24,646,000;

7 (6) Under the heading “Shipbuilding and Con-
8 version, Navy”, 2017/2024: DDG 51 Program,
9 \$121,827,000;

10 (7) Under the heading “Shipbuilding and Con-
11 version, Navy”, 2017/2024: LPD 17 Amphibious
12 Transport Dock Program, \$16,520,000;

13 (8) Under the heading “Shipbuilding and Con-
14 version, Navy”, 2018/2024: Ship to Shore Connector
15 Program, \$43,600,000;

16 (9) Under the heading “Shipbuilding and Con-
17 version, Navy”, 2019/2024: Littoral Combat Ship
18 Program, \$23,000,000;

19 (10) Under the heading “Shipbuilding and Con-
20 version, Navy”, 2019/2024: T-AO Fleet Oiler Pro-
21 gram, \$27,060,000;

22 (11) Under the heading “Shipbuilding and Con-
23 version, Navy”, 2020/2024: CVN Refueling Over-
24 hauls, \$42,422,000;

1 (12) Under the heading “Shipbuilding and Con-
2 version, Navy”, 2020/2024: T-AO Fleet Oiler Pro-
3 gram, \$93,250,000;

4 (13) Under the heading “Shipbuilding and Con-
5 version, Navy”, 2020/2024: Towing, Salvage, and
6 Rescue Ship Program, \$1,150,000;

7 (14) Under the heading “Shipbuilding and Con-
8 version, Navy”, 2021/2024: DDG 51 Program,
9 \$100,000,000;

10 (15) Under the heading “Shipbuilding and Con-
11 version, Navy”, 2021/2024: Towing, Salvage, and
12 Rescue Ship Program, \$21,809,000; and

13 (16) Under the heading “Shipbuilding and Con-
14 version, Navy”, 2022/2024: T-AO Fleet Oiler Pro-
15 gram, \$2,585,000.

16 SEC. 8073. Funds appropriated by this Act, or made
17 available by the transfer of funds in this Act, for intel-
18 ligence activities are deemed to be specifically authorized
19 by the Congress for purposes of section 504 of the Na-
20 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
21 year 2024 until the enactment of the Intelligence Author-
22 ization Act for Fiscal Year 2024.

23 SEC. 8074. None of the funds provided in this Act
24 shall be available for obligation or expenditure through a
25 reprogramming of funds that creates or initiates a new

1 program, project, or activity unless such program, project,
2 or activity must be undertaken immediately in the interest
3 of national security and only after written prior notifica-
4 tion to the congressional defense committees.

5 SEC. 8075. None of the funds in this Act may be
6 used for research, development, test, evaluation, procure-
7 ment or deployment of nuclear armed interceptors of a
8 missile defense system.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 8076. 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 \$20,000,000 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 under this section is in addi-
2 tion to any other transfer authority contained elsewhere
3 in this Act: *Provided further*, That the transfer authority
4 provided by this section expires on September 30, 2028.

5 SEC. 8077. None of the funds appropriated or made
6 available in this Act shall be used to reduce or disestablish
7 the operation of the 53rd Weather Reconnaissance Squad-
8 ron of the Air Force Reserve, if such action would reduce
9 the WC-130 Weather Reconnaissance mission below the
10 levels funded in this Act: *Provided*, That the Air Force
11 shall allow the 53rd Weather Reconnaissance Squadron to
12 perform other missions in support of national defense re-
13 quirements during the non-hurricane season.

14 SEC. 8078. None of the funds provided in this Act
15 shall be available for integration of foreign intelligence in-
16 formation unless the information has been lawfully col-
17 lected and processed during the conduct of authorized for-
18 eign intelligence activities: *Provided*, That information
19 pertaining to United States persons shall only be handled
20 in accordance with protections provided in the Fourth
21 Amendment of the United States Constitution as imple-
22 mented through Executive Order No. 12333.

23 SEC. 8079. None of the funds appropriated by this
24 Act for programs of the Office of the Director of National
25 Intelligence shall remain available for obligation beyond

1 the current fiscal year, except for funds appropriated for
2 research and technology, which shall remain available until
3 September 30, 2025.

4 SEC. 8080. For purposes of section 1553(b) of title
5 31, United States Code, any subdivision of appropriations
6 made in this Act under the heading “Shipbuilding and
7 Conversion, Navy” shall be considered to be for the same
8 purpose as any subdivision under the heading “Ship-
9 building and Conversion, Navy” appropriations in any
10 prior fiscal year, and the 1 percent limitation shall apply
11 to the total amount of the appropriation.

12 SEC. 8081. (a) Not later than 60 days after the date
13 of enactment of this Act, the Director of National Intel-
14 ligence shall submit a report to the congressional intel-
15 ligence committees to establish the baseline for application
16 of reprogramming and transfer authorities for fiscal year
17 2024: *Provided*, That the report shall include—

18 (1) a table for each appropriation with a sepa-
19 rate column to display the President’s budget re-
20 quest, adjustments made by Congress, adjustments
21 due to enacted rescissions, if appropriate, and the
22 fiscal year enacted level;

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

1 (3) an identification of items of special congres-
2 sional interest.

3 (b) None of the funds provided for the National Intel-
4 ligence Program in this Act shall be available for re-
5 programming or transfer until the report identified in sub-
6 section (a) is submitted to the congressional intelligence
7 committees, unless the Director of National Intelligence
8 certifies in writing to the congressional intelligence com-
9 mittees that such reprogramming or transfer is necessary
10 as an emergency requirement.

11 SEC. 8082. Any transfer of amounts appropriated to
12 the Department of Defense Acquisition Workforce Devel-
13 opment Account in or for fiscal year 2024 to a military
14 department or Defense Agency pursuant to section
15 1705(e)(1) of title 10, United States Code, shall be cov-
16 ered by and subject to section 8005 of this Act.

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

23 (1) creates a new start effort;

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

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

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

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

19 SEC. 8084. (a) Any agency receiving funds made
20 available in this Act, shall, subject to subsections (b) and
21 (c), post on the public website of that agency any report
22 required to be submitted by the Congress in this or any
23 other Act, upon the determination by the head of the agen-
24 cy that it shall serve the national interest.

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

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

3 (2) the report contains proprietary information.

4 (c) The head of the agency posting such report shall
5 do so only after such report has been made available to
6 the requesting Committee or Committees of Congress for
7 no fewer than 45 days.

8 SEC. 8085. (a) None of the funds appropriated or
9 otherwise made available by this Act may be expended for
10 any Federal contract for an amount in excess of
11 \$1,000,000, unless the contractor agrees not to—

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

22 (2) take any action to enforce any provision of
23 an existing agreement with an employee or inde-
24 pendent contractor that mandates that the employee
25 or independent contractor resolve through arbitra-

1 tion any claim under title VII of the Civil Rights Act
2 of 1964 or any tort related to or arising out of sex-
3 ual assault or harassment, including assault and
4 battery, intentional infliction of emotional distress,
5 false imprisonment, or negligent hiring, supervision,
6 or retention.

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

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

22 (d) The Secretary of Defense may waive the applica-
23 tion of subsection (a) or (b) to a particular contractor or
24 subcontractor for the purposes of a particular contract or
25 subcontract if the Secretary or the Deputy Secretary per-

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

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8086. From within the funds appropriated for
17 operation and maintenance for the Defense Health Pro-
18 gram in this Act, up to \$172,000,000, shall be available
19 for transfer to the Joint Department of Defense-Depart-
20 ment of Veterans Affairs Medical Facility Demonstration
21 Fund in accordance with the provisions of section 1704
22 of the National Defense Authorization Act for Fiscal Year
23 2010, Public Law 111–84: *Provided*, That for purposes
24 of section 1704(b), the facility operations funded are oper-
25 ations of the integrated Captain James A. Lovell Federal

1 Health Care Center, consisting of the North Chicago Vet-
2 erans Affairs Medical Center, the Navy Ambulatory Care
3 Center, and supporting facilities designated as a combined
4 Federal medical facility as described by section 706 of
5 Public Law 110–417: *Provided further*, That additional
6 funds may be transferred from funds appropriated for op-
7 eration and maintenance for the Defense Health Program
8 to the Joint Department of Defense-Department of Vet-
9 erans Affairs Medical Facility Demonstration Fund upon
10 written notification by the Secretary of Defense to the
11 Committees on Appropriations of the House of Represent-
12 atives and the Senate.

13 SEC. 8087. None of the funds appropriated or other-
14 wise made available by this Act may be used by the De-
15 partment of Defense or a component thereof in contraven-
16 tion of the provisions of section 130h of title 10, United
17 States Code.

18 SEC. 8088. Notwithstanding price or other limita-
19 tions applicable to the purchase of passenger carrying ve-
20 hicles, appropriations available to the Department of De-
21 fense may be used for the purchase of: (1) heavy and light
22 armored vehicles for the physical security of personnel or
23 for force protection purposes up to a limit of \$450,000
24 per vehicle; and (2) passenger motor vehicles up to a limit
25 of \$75,000 per vehicle for use by military and civilian em-

1 ployees of the Department of Defense in the United States
2 Central Command area of responsibility.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8089. Upon a determination by the Director of
5 National Intelligence that such action is necessary and in
6 the national interest, the Director may, with the approval
7 of the Director of the Office of Management and Budget,
8 transfer not to exceed \$1,500,000,000 of the funds made
9 available in this Act for the National Intelligence Pro-
10 gram: *Provided*, That such authority to transfer may not
11 be used unless for higher priority items, based on unfore-
12 seen intelligence requirements, than those for which origi-
13 nally appropriated and in no case where the item for which
14 funds are requested has been denied by the Congress: *Pro-*
15 *vided further*, That a request for multiple reprogrammings
16 of funds using authority provided in this section shall be
17 made prior to June 30, 2024.

18 SEC. 8090. Of the amounts appropriated in this Act
19 for “Shipbuilding and Conversion, Navy”, \$142,008,000,
20 to remain available for obligation until September 30,
21 2028, may be used for the purchase of two used sealift
22 vessels for the National Defense Reserve Fleet, established
23 under section 11 of the Merchant Ship Sales Act of 1946
24 (46 U.S.C. 57100): *Provided*, That such amounts are
25 available for reimbursements to the Ready Reserve Force,

1 Maritime Administration account of the United States De-
2 partment of Transportation for programs, projects, activi-
3 ties, and expenses related to the National Defense Reserve
4 Fleet: *Provided further*, That notwithstanding section
5 2218 of title 10, United States Code, none of these funds
6 shall be transferred to the National Defense Sealift Fund
7 for execution.

8 SEC. 8091. The Secretary of Defense shall post grant
9 awards on a public website in a searchable format.

10 SEC. 8092. None of the funds made available by this
11 Act may be used by the National Security Agency to—

12 (1) conduct an acquisition pursuant to section
13 702 of the Foreign Intelligence Surveillance Act of
14 1978 for the purpose of targeting a United States
15 person; or

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

23 SEC. 8093. None of the funds made available in this
24 or any other Act may be used to pay the salary of any
25 officer or employee of any agency funded by this Act who

1 approves or implements the transfer of administrative re-
2 sponsibilities or budgetary resources of any program,
3 project, or activity financed by this Act to the jurisdiction
4 of another Federal agency not financed by this Act with-
5 out the express authorization of Congress: *Provided*, That
6 this limitation shall not apply to transfers of funds ex-
7 pressly provided for in Department of Defense Appropria-
8 tions Acts, or provisions of Acts providing supplemental
9 appropriations for the Department of Defense.

10 SEC. 8094. Of the amounts appropriated in this Act
11 for “Operation and Maintenance, Navy”, \$667,508,000 to
12 remain available until expended, may be used for any pur-
13 poses related to the National Defense Reserve Fleet estab-
14 lished under section 11 of the Merchant Ship Sales Act
15 of 1946 (46 U.S.C. 57100): *Provided*, That such amounts
16 are available for reimbursements to the Ready Reserve
17 Force, Maritime Administration account of the United
18 States Department of Transportation for programs,
19 projects, activities, and expenses related to the National
20 Defense Reserve Fleet.

21 SEC. 8095. (a) None of the funds provided in this
22 Act for the TAO Fleet Oiler program shall be used to
23 award a new contract that provides for the acquisition of
24 the following components unless those components are
25 manufactured in the United States: Auxiliary equipment

1 (including pumps) for shipboard services; propulsion
2 equipment (including engines, reduction gears, and propel-
3 lers); shipboard cranes; spreaders for shipboard cranes;
4 and anchor chains, specifically for the seventh and subse-
5 quent ships of the fleet.

6 (b) None of the funds provided in this Act for the
7 FFG(X) Frigate program shall be used to award a new
8 contract that provides for the acquisition of the following
9 components unless those components are manufactured in
10 the United States: Air circuit breakers; gyrocompasses;
11 electronic navigation chart systems; steering controls;
12 pumps; propulsion and machinery control systems; totally
13 enclosed lifeboats; auxiliary equipment pumps; shipboard
14 cranes; auxiliary chill water systems; and propulsion pro-
15 pellers: *Provided*, That the Secretary of the Navy shall in-
16 corporate United States manufactured propulsion engines
17 and propulsion reduction gears into the FFG(X) Frigate
18 program beginning not later than with the eleventh ship
19 of the program.

20 SEC. 8096. None of the funds provided in this Act
21 for requirements development, performance specification
22 development, concept design and development, ship con-
23 figuration development, systems engineering, naval archi-
24 tecture, marine engineering, operations research analysis,
25 industry studies, preliminary design, development of the

1 Detailed Design and Construction Request for Proposals
2 solicitation package, or related activities for the T-
3 ARC(X) Cable Laying and Repair Ship or the T-
4 AGOS(X) Oceanographic Surveillance Ship may be used
5 to award a new contract for such activities unless these
6 contracts include specifications that all auxiliary equip-
7 ment, including pumps and propulsion shafts, are manu-
8 factured in the United States.

9 SEC. 8097. No amounts credited or otherwise made
10 available in this or any other Act to the Department of
11 Defense Acquisition Workforce Development Account may
12 be transferred to:

13 (1) the Rapid Prototyping Fund established
14 under section 804(d) of the National Defense Au-
15 thorization Act for Fiscal Year 2016 (10 U.S.C.
16 2302 note); or

17 (2) credited to a military-department specific
18 fund established under section 804(d)(2) of the Na-
19 tional Defense Authorization Act for Fiscal Year
20 2016 (as amended by section 897 of the National
21 Defense Authorization Act for Fiscal Year 2017).

22 SEC. 8098. None of the funds made available by this
23 Act may be used for Government Travel Charge Card ex-
24 penses by military or civilian personnel of the Department
25 of Defense for gaming, or for entertainment that includes

1 topless or nude entertainers or participants, as prohibited
2 by Department of Defense FMR, Volume 9, Chapter 3
3 and Department of Defense Instruction 1015.10 (enclo-
4 sure 3, 14a and 14b).

5 SEC. 8099. (a) None of the funds made available in
6 this Act may be used to maintain or establish a computer
7 network unless such network is designed to block access
8 to pornography websites.

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

15 SEC. 8100. None of the funds provided for, or other-
16 wise made available, in this or any other Act, may be obli-
17 gated or expended by the Secretary of Defense to provide
18 motorized vehicles, aviation platforms, munitions other
19 than small arms and munitions appropriate for customary
20 ceremonial honors, operational military units, or oper-
21 ational military platforms if the Secretary determines that
22 providing such units, platforms, or equipment would un-
23 dermine the readiness of such units, platforms, or equip-
24 ment.

1 SEC. 8101. (a) None of the funds made available by
2 this or any other Act may be used to enter into a contract,
3 memorandum of understanding, or cooperative agreement
4 with, make a grant to, or provide a loan or loan guarantee
5 to any corporation that has any unpaid Federal tax liabil-
6 ity that has been assessed, for which all judicial and ad-
7 ministrative remedies have been exhausted or have lapsed,
8 and that is not being paid in a timely manner pursuant
9 to an agreement with the authority responsible for col-
10 lecting such tax liability, provided that the applicable Fed-
11 eral agency is aware of the unpaid Federal tax liability.

12 (b) Subsection (a) shall not apply if the applicable
13 Federal agency has considered suspension or debarment
14 of the corporation described in such subsection and has
15 made a determination that such suspension or debarment
16 is not necessary to protect the interests of the Federal
17 Government.

18 SEC. 8102. (a) Amounts appropriated under title IV
19 of this Act, as detailed in budget activity eight of the ta-
20 bles of “Committee Recommended Adjustments” in the re-
21 port accompanying this Act, may be used for expenses for
22 the agile research, development, test and evaluation, pro-
23 curement, production, modification, and operation and
24 maintenance, only for the following Software and Digital
25 Technology Pilot programs—

- 1 (1) Defensive CYBER (PE 0608041A);
- 2 (2) Risk Management Information (PE
- 3 0608013N);
- 4 (3) Maritime Tactical Command and Control
- 5 (PE 0608231N);
- 6 (4) Space Command & Control (PE
- 7 1208248SF);
- 8 (5) Global Command and Control System (PE
- 9 0303150K); and
- 10 (6) Acquisition Visibility (PE 0608648D8Z).

11 (b) None of the funds appropriated by this or prior
12 Department of Defense Appropriations Acts may be obli-
13 gated or expended to initiate additional Software and Dig-
14 ital Technology Pilot Programs in fiscal year 2024.

15 SEC. 8103. None of the funds made available in this
16 Act may be used in contravention of the following laws
17 enacted or regulations promulgated to implement the
18 United Nations Convention Against Torture and Other
19 Cruel, Inhuman or Degrading Treatment or Punishment
20 (done at New York on December 10, 1984):

21 (1) Section 2340A of title 18, United States
22 Code.

23 (2) Section 2242 of the Foreign Affairs Reform
24 and Restructuring Act of 1998 (division G of Public
25 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231

1 note) and regulations prescribed thereto, including
2 regulations under part 208 of title 8, Code of Fed-
3 eral Regulations, and part 95 of title 22, Code of
4 Federal Regulations.

5 (3) Sections 1002 and 1003 of the Department
6 of Defense, Emergency Supplemental Appropriations
7 to Address Hurricanes in the Gulf of Mexico, and
8 Pandemic Influenza Act, 2006 (Public Law 109–
9 148).

10 SEC. 8104. Of the amounts appropriated in this Act
11 under the heading “Operation and Maintenance, Defense-
12 Wide”, for the Defense Security Cooperation Agency,
13 \$300,000,000, to remain available until September 30,
14 2025, shall be for the Ukraine Security Assistance Initia-
15 tive: *Provided*, That such funds shall be available to the
16 Secretary of Defense, with the concurrence of the Sec-
17 retary of State, to provide assistance, including training;
18 equipment; lethal assistance; logistics support, supplies
19 and services; salaries and stipends; sustainment; and intel-
20 ligence support to the military and national security forces
21 of Ukraine, and to other forces or groups recognized by
22 and under the authority of the Government of Ukraine,
23 including governmental entities within Ukraine, engaged
24 in resisting Russian aggression against Ukraine, for re-
25 placement of any weapons or articles provided to the Gov-

1 ernment of Ukraine from the inventory of the United
2 States, and to recover or dispose of equipment procured
3 using funds made available in this section in this or prior
4 Acts: *Provided further*, That the Secretary of Defense
5 shall, not less than 15 days prior to obligating funds made
6 available in this section, notify the congressional defense
7 committees in writing of the details of any such obligation:
8 *Provided further*, That the Secretary of Defense shall, not
9 more than 60 days after such notification is made, inform
10 such committees if such funds have not been obligated and
11 the reasons therefor: *Provided further*, That the Secretary
12 of Defense shall consult with such committees in advance
13 of the provision of support provided to other forces or
14 groups recognized by and under the authority of the Gov-
15 ernment of Ukraine: *Provided further*, That the United
16 States may accept equipment procured using funds made
17 available in this section in this or prior Acts transferred
18 to the security forces of Ukraine and returned by such
19 forces to the United States: *Provided further*, That equip-
20 ment procured using funds made available in this section
21 in this or prior Acts, and not yet transferred to the mili-
22 tary or national security forces of Ukraine or to other as-
23 sisted entities, or returned by such forces or other assisted
24 entities to the United States, may be treated as stocks
25 of the Department of Defense upon written notification

1 to the congressional defense committees: *Provided further*,
2 That the Secretary of Defense may accept and retain con-
3 tributions, including money, personal property, and serv-
4 ices, from foreign governments and other entities, to carry
5 out assistance authorized for the Ukraine Security Assist-
6 ance Initiative in this section: *Provided further*, That the
7 Secretary of Defense shall notify the congressional defense
8 committees in writing upon the receipt and upon the obli-
9 gation of any contribution, delineating the sources and
10 amounts of the funds received and the specific use of such
11 contributions: *Provided further*, That contributions of
12 money for the purposes provided herein from any foreign
13 government or other entity may be credited to this ac-
14 count, to remain available until September 30, 2025, and
15 used for such purposes: *Provided further*, That the Sec-
16 retary of Defense shall provide quarterly reports to the
17 congressional defense committees on the use and status
18 of funds made available in this section.

19 SEC. 8105. During the current fiscal year, the De-
20 partment of Defense is authorized to incur obligations of
21 not to exceed \$350,000,000 for purposes specified in sec-
22 tion 2350j(c) of title 10, United States Code, in anticipa-
23 tion of receipt of contributions, only from the Government
24 of Kuwait, under that section: *Provided*, That, such con-

1 tributions shall, upon receipt, be credited to the appropria-
2 tions or fund which incurred such obligations.

3 SEC. 8106. Of the amounts appropriated in this Act
4 under the heading “Operation and Maintenance, Defense-
5 Wide”, for the Defense Security Cooperation Agency,
6 \$1,316,031,000, to remain available until September 30,
7 2025, shall be available for International Security Co-
8 operation Programs and other programs to provide sup-
9 port and assistance to foreign security forces or other
10 groups or individuals to conduct, support or facilitate
11 counterterrorism, crisis response, or building partner ca-
12 pacity programs: *Provided*, That the Secretary of Defense
13 shall, not fewer than 15 days prior to obligating funds
14 made available in this section, notify the congressional de-
15 fense committees in writing of the details of any planned
16 obligation: *Provided further*, That the Secretary of Defense
17 shall provide quarterly reports to the Committees on Ap-
18 propriations of the House of Representatives and the Sen-
19 ate on the use and status of funds made available in this
20 section.

21 SEC. 8107. Of the amounts appropriated in this Act
22 under the heading “Operation and Maintenance, Defense-
23 Wide”, for the Defense Security Cooperation Agency,
24 \$370,000,000, to remain available until September 30,
25 2025, shall be available to reimburse Jordan, Lebanon,

1 Egypt, Tunisia, and Oman under section 1226 of the Na-
2 tional Defense Authorization Act for Fiscal Year 2016 (22
3 U.S.C. 2151 note), for enhanced border security: *Pro-*
4 *vided*, That the Secretary of Defense shall, not fewer than
5 15 days prior to obligating funds provided under this sec-
6 tion, notify the congressional defense committees in writ-
7 ing of the details of any planned obligation and the nature
8 of the expenses incurred: *Provided further*, That the Sec-
9 retary of Defense shall provide quarterly reports to the
10 Committees on Appropriations of the House of Represent-
11 atives and the Senate on the use and status of funds made
12 available in this section.

13 SEC. 8108. 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. 8109. None of the funds made available by this
17 Act for excess defense articles, assistance under section
18 333 of title 10, United States Code, or peacekeeping oper-
19 ations for the countries designated annually to be in viola-
20 tion of the standards of the Child Soldiers Prevention Act
21 of 2008 (Public Law 110-457; 22 U.S.C. 2370c-1) may
22 be used to support any military training or operation that
23 includes child soldiers, as defined by the Child Soldiers
24 Prevention Act of 2008, unless such assistance is other-

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

3 SEC. 8110. None of the funds made available by this
4 Act may be made available for any member of the Taliban.

5 SEC. 8111. Notwithstanding any other provision of
6 law, any transfer of funds, appropriated or otherwise made
7 available by this Act, for support to friendly foreign coun-
8 tries in connection with the conduct of operations in which
9 the United States is not participating, pursuant to section
10 331(d) of title 10, United States Code, shall be made in
11 accordance with section 8005 of this Act.

12 SEC. 8112. (a) None of the funds appropriated or
13 otherwise made available by this or any other Act may
14 be used by the Secretary of Defense, or any other official
15 or officer of the Department of Defense, to enter into a
16 contract, memorandum of understanding, or cooperative
17 agreement with, or make a grant to, or provide a loan
18 or loan guarantee to Rosoboronexport or any subsidiary
19 of Rosoboronexport.

20 (b) The Secretary of Defense may waive the limita-
21 tion in subsection (a) if the Secretary, in consultation with
22 the Secretary of State and the Director of National Intel-
23 ligence, determines that it is in the vital national security
24 interest of the United States to do so, and certifies in writ-
25 ing to the congressional defense committees that—

1 (1) Rosoboronexport has ceased the transfer of
2 lethal military equipment to, and the maintenance of
3 existing lethal military equipment for, the Govern-
4 ment of the Syrian Arab Republic;

5 (2) the armed forces of the Russian Federation
6 have withdrawn from Ukraine; and

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

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

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8113. In addition to amounts appropriated in
22 title II or otherwise made available elsewhere in this Act,
23 \$3,300,000,000 is hereby appropriated to the Department
24 of Defense and made available for transfer to the oper-
25 ation and maintenance accounts of the Army, Navy, Ma-

1 rine Corps, Air Force, and Space Force (including Na-
2 tional Guard and Reserve) for purposes of improving mili-
3 tary readiness: *Provided*, That the transfer authority pro-
4 vided under this section is in addition to any other trans-
5 fer authority provided elsewhere in this Act: *Provided fur-*
6 *ther*, That none of the funds provided under this section
7 may be obligated or expended until 30 days after the Sec-
8 retary of Defense provides the Committees on Appropria-
9 tions of the House of Representatives and the Senate a
10 detailed execution plan for such funds: *Provided further*,
11 That of the amounts made available under this section,
12 \$1,900,000,000 is designated by the Congress as being for
13 an emergency requirement pursuant to section
14 251(b)(2)(A)(i) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985.

16 SEC. 8114. Equipment procured using funds provided
17 in prior Acts under the heading “Counterterrorism Part-
18 nerships Fund” for the program authorized by section
19 1209 of the Carl Levin and Howard P. “Buck” McKeon
20 National Defense Authorization Act for Fiscal Year 2015
21 (Public Law 113–291), or under the heading “Iraq Train
22 and Equip Fund” for the program authorized by section
23 1236 of such Act, and not yet transferred to authorized
24 recipients may be transferred to foreign security forces,
25 irregular forces, groups, or individuals, authorized to re-

1 ceive assistance using amounts provided under the heading
2 “Counter-ISIS Train and Equip Fund” in this Act: *Pro-*
3 *vided*, That such equipment may be transferred 15 days
4 following written notification to the congressional defense
5 committees.

6 SEC. 8115. Of the amounts appropriated in this Act
7 under the heading “Operation and Maintenance, Defense-
8 Wide”, for the Defense Security Cooperation Agency,
9 \$5,000,000, to remain available until September 30, 2025,
10 shall be for payments to reimburse key cooperating na-
11 tions for logistical, military, and other support, including
12 access, provided to United States military and stability op-
13 erations to counter the Islamic State of Iraq and Syria:
14 *Provided*, That such reimbursement payments may be
15 made in such amounts as the Secretary of Defense, with
16 the concurrence of the Secretary of State, and in consulta-
17 tion with the Director of the Office of Management and
18 Budget, may determine, based on documentation deter-
19 mined by the Secretary of Defense to adequately account
20 for the support provided, and such determination is final
21 and conclusive upon the accounting officers of the United
22 States, and 15 days following written notification to the
23 appropriate congressional committees: *Provided further*,
24 That these funds may be used for the purpose of providing
25 specialized training and procuring supplies and specialized

1 equipment and providing such supplies and loaning such
2 equipment on a non-reimbursable basis to coalition forces
3 supporting United States military and stability operations
4 to counter the Islamic State of Iraq and Syria, and 15
5 days following written notification to the appropriate con-
6 gressional committees: *Provided further*, That the Sec-
7 retary of Defense shall provide quarterly reports to the
8 Committees on Appropriations of the House of Represent-
9 atives and the Senate on the use and status of funds made
10 available in this section.

11 SEC. 8116. (a) Within 45 days of enactment of this
12 Act, the Secretary of Defense shall allocate amounts made
13 available from the Creating Helpful Incentives to Produce
14 Semiconductors (CHIPS) for America Defense Fund for
15 fiscal year 2024 pursuant to the transfer authority in sec-
16 tion 102(b)(1) of the CHIPS Act of 2022 (division A of
17 Public Law 117–167), to the account specified, in the
18 amounts specified, and for the projects and activities spec-
19 ified, in the table titled “Department of Defense Alloca-
20 tion of Funds: CHIPS and Science Act Fiscal Year 2024”
21 in the report accompanying this Act.

22 (b) Neither the President nor his designee may allo-
23 cate any amounts that are made available for any fiscal
24 year under section 102(b)(2) of the CHIPS Act of 2022
25 if there is in effect an Act making or continuing appro-

1 priations for part of a fiscal year for the Department of
2 Defense: Provided, That in any fiscal year, the matter pre-
3 ceding this proviso shall not apply to the allocation, appor-
4 tionment, or allotment of amounts for continuing adminis-
5 tration of programs allocated using funds transferred from
6 the CHIPS for America Defense Fund, which may be allo-
7 cated pursuant to the transfer authority in section
8 102(b)(1) of the CHIPS Act of 2022 only in amounts that
9 are no more than the allocation for such purposes in sub-
10 section (a) of this section.

11 (c) The Secretary of Defense may reallocate funds
12 allocated by subsection (a) of this section, subject to the
13 terms and conditions contained in the provisos in section
14 8005 of this Act: Provided, That amounts may be reallo-
15 cated pursuant to this subsection only for those require-
16 ments necessary to carry out section 9903(b) of the Wil-
17 liam M. (Mac) Thornberry National Defense Authoriza-
18 tion Act for Fiscal Year 2021 (Public Law 116–283).

19 (d) Concurrent with the annual budget submission of
20 the President for fiscal year 2025, the Secretary of De-
21 fense shall submit to the Committees on Appropriations
22 of the House of Representatives and the Senate proposed
23 allocations by account and by program, project, or activity,
24 with detailed justifications, for amounts made available

1 under section 102(b)(2) of the CHIPS Act of 2022 for
2 fiscal year 2025.

3 (e) The Department of Defense shall provide the
4 Committees on Appropriations of the House of Represent-
5 atives and Senate quarterly reports on the status of bal-
6 ances of projects and activities funded by the CHIPS for
7 America Defense Fund for amounts allocated pursuant to
8 subsection (a) of this section, including all uncommitted,
9 committed, and unobligated funds.

10 SEC. 8117. The total amount appropriated or other-
11 wise made available in title II of this Act is hereby reduced
12 by \$400,000,000 to limit excessive growth in the procure-
13 ment of advisory and assistance services, to be distributed
14 as follows:

15 “Operation and Maintenance, Army”,
16 \$110,000,000;

17 “Operation and Maintenance, Navy”,
18 \$55,000,000;

19 “Operation and Maintenance, Marine Corps”,
20 \$42,000,000;

21 “Operation and Maintenance, Air Force”,
22 \$62,000,000;

23 “Operation and Maintenance, Space Force”,
24 \$8,000,000;

1 “Operation and Maintenance, Defense-Wide”,
2 \$113,000,000; and

3 “Operation and Maintenance, Army National
4 Guard”, \$10,000,000:

5 *Provided*, That this section shall not apply to appropria-
6 tions for the National Intelligence Program and Military
7 Intelligence Program.

8 SEC. 8118. The total amount appropriated or other-
9 wise made available in title II of this Act is hereby reduced
10 by \$100,000,000 to reflect savings attributable to effi-
11 ciencies and management improvements in the funding of
12 miscellaneous or other contracts in the military depart-
13 ments, as follows:

14 “Operation and Maintenance, Army”,
15 \$21,000,000;

16 “Operation and Maintenance, Navy”,
17 \$25,000,000;

18 “Operation and Maintenance, Marine Corps”,
19 \$3,500,000;

20 “Operation and Maintenance, Air Force”,
21 \$22,000,000;

22 “Operation and Maintenance, Space Force”,
23 \$1,700,000; and

24 “Operation and Maintenance, Defense-Wide”,
25 \$26,800,000:

1 *Provided*, That this section shall not apply to appropria-
2 tions for the National Intelligence Program and Military
3 Intelligence Program.

4 SEC. 8119. Of the funds appropriated in this Act
5 under the heading “Operation and Maintenance, Defense-
6 Wide”, \$47,000,000 shall be for continued implementation
7 and expansion of the Sexual Assault Special Victims’
8 Counsel Program: *Provided*, That the funds are made
9 available for transfer to the Department of the Army, the
10 Department of the Navy, and the Department of the Air
11 Force: *Provided further*, That funds transferred shall be
12 merged with and available for the same purposes and for
13 the same time period as the appropriations to which the
14 funds are transferred: *Provided further*, That this transfer
15 authority is in addition to any other transfer authority
16 provided in this Act.

17 SEC. 8120. None of the funds made available by this
18 Act may be used to support any activity conducted by,
19 or associated with, the Wuhan Institute of Virology.

20 SEC. 8121. None of the funds made available by this
21 Act may be used to fund any work to be performed by
22 EcoHealth Alliance, Inc. in China on research supported
23 by the government of China unless the Secretary of De-
24 fense determines that a waiver to such prohibition is in
25 the national security interests of the United States and,

1 not later than 14 days after granting such a waiver, sub-
2 mits to the congressional defense committees a detailed
3 justification for the waiver, including—

4 (1) an identification of the Department of De-
5 fense entity obligating or expending the funds;

6 (2) an identification of the amount of such
7 funds;

8 (3) an identification of the intended purpose of
9 such funds;

10 (4) an identification of the recipient or prospec-
11 tive recipient of such funds (including any third-
12 party entity recipient, as applicable);

13 (5) an explanation for how the waiver is in the
14 national security interests of the United States; and

15 (6) any other information the Secretary deter-
16 mines appropriate.

17 SEC. 8122. None of the funds appropriated or other-
18 wise made available in this or any other Act may be used
19 to transfer, release, or assist in the transfer or release to
20 or within the United States, its territories, or possessions
21 Khalid Sheikh Mohammed or any other detainee who—

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

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

4 SEC. 8123. None of the funds appropriated or other-
5 wise made available in this Act may be used to transfer
6 any individual detained at United States Naval Station
7 Guantanamo Bay, Cuba, to the custody or control of the
8 individual's country of origin, any other foreign country,
9 or any other foreign entity except in accordance with sec-
10 tion 1034 of the National Defense Authorization Act for
11 Fiscal Year 2016 (Public Law 114–92) and section 1035
12 of the John S. McCain National Defense Authorization
13 Act for Fiscal Year 2019 (Public Law 115–232).

14 SEC. 8124. (a) None of the funds appropriated or
15 otherwise made available in this or any other Act may be
16 used to construct, acquire, or modify any facility in the
17 United States, its territories, or possessions to house any
18 individual described in subsection (c) for the purposes of
19 detention or imprisonment in the custody or under the ef-
20 fective control of the Department of Defense.

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

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

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

7 (2) is—

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

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

12 SEC. 8125. None of the funds made available by this
13 Act may be used to carry out the closure or realignment
14 of the United States Naval Station, Guantanamo Bay,
15 Cuba.

16 SEC. 8126. The Secretary of the Navy shall continue
17 to provide pay and allowances to Lieutenant Ridge
18 Alkonis, United States Navy, until such time as the Sec-
19 retary of the Navy makes a determination with respect
20 to the separation of Lieutenant Alkonis from the Navy.

21 SEC. 8127. Grants pursuant to section 8120 of the
22 Department of Defense Appropriations Act, 2022 (division
23 C of Public Law 117–103) to communities impacted by
24 military aviation noise for the purpose of installing noise
25 mitigating insulation at covered facilities may also provide

1 for the installation of air conditioning that complements
2 noise mitigating insulation at such facilities.

3 SEC. 8128. During their period of availability,
4 amounts appropriated for the Afghanistan Security Forces
5 Fund in section 124 of the Continuing Appropriations
6 Act, 2023 (division A of Public Law 117–180) may be
7 charged for any proper expense for contract closeouts pur-
8 suant to section 1553(b)(1) of title 31, United States
9 Code, notwithstanding the limitation in section 1553(b)(2)
10 of such title.

11 SEC. 8129. None of the funds appropriated or other-
12 wise made available by this or any other Act may be obli-
13 gated to integrate an alternative engine on any F-35 air-
14 craft.

15 SEC. 8130. None of the funds provided in this or any
16 prior Department of Defense Appropriations Act shall be
17 available for obligation or expenditure for the Department
18 of Defense to—

19 (1) Implement paragraphs (1)(B) and (2)(B) of
20 section 834(d) of S. 2226, the National Defense Au-
21 thorization Act for Fiscal Year 2024, as reported by
22 the Senate Armed Services Committee; or

23 (2) Provide loans, loan guarantees, or equity in-
24 vestments to any entity unless the authority to pro-
25 vide such assistance is pursuant to either chapter 55

1 of title 50, United States Code, or section 831 of S.
2 2226, the National Defense Authorization Act for
3 Fiscal Year 2024, as reported by the Senate Armed
4 Services Committee.

5 SEC. 8131. The Secretary of Defense may use up to
6 \$650,000,000 of the amounts appropriated or otherwise
7 made available in this Act to the Department of Defense
8 for the rapid acquisition and deployment of supplies and
9 associated support services pursuant to section 3601 of
10 title 10, United States Code, but only for the purposes
11 specified in clauses (i), (ii), (iii), and (iv) of subsection
12 (c)(3)(B) of such section and subject to the applicable lim-
13 its specified in clauses (i), (ii), and (iii) of such subsection
14 and, in the case of clause (iv) of such subsection, subject
15 to a limit of \$50,000,000: *Provided*, That the Secretary
16 of Defense shall notify the congressional defense commit-
17 tees promptly of all uses of this authority.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 8132. In addition to amounts appropriated in
20 title III, title IV, or otherwise made available elsewhere
21 in this Act, \$1,500,000,000 is hereby appropriated to the
22 Department of Defense and made available for transfer
23 to the procurement and research, development, test and
24 evaluation accounts of the Army, Navy, Marine Corps, Air
25 Force, and Space Force to reflect revised economic as-

1 sumptions: *Provided*, That the transfer authority provided
2 under this section is in addition to any other transfer au-
3 thority provided elsewhere in this Act: *Provided further*,
4 That none of the funds provided under this section may
5 be obligated or expended until 30 days after the Secretary
6 of Defense provides the Committees on Appropriations of
7 the House of Representatives and the Senate a detailed
8 execution plan for such funds: *Provided further*, That the
9 amounts made available under this section are designated
10 by the Congress as being for an emergency requirement
11 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
12 et and Emergency Deficit Control Act of 1985.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 8133. In addition to amounts made available
15 elsewhere in this Act, \$2,000,000,000 is hereby appro-
16 priated to the Department of Defense and made available
17 for transfer to the operation and maintenance, procure-
18 ment, and research, development, test and evaluation ac-
19 counts of the Army, Navy, Marine Corps, Air Force, Space
20 Force, and agencies of the Department of Defense, only
21 to address unfunded priorities of the armed forces and
22 combatant commands for fiscal year 2024 (as submitted
23 to Congress pursuant to section 222a of title 10, United
24 States Code) with submission of the budget of the Presi-
25 dent for fiscal year 2024 (as submitted to Congress pursu-

1 ant to section 1105 of title 31, United States Code), as
2 identified in the report accompanying this Act: *Provided*,
3 That the transfer authority provided under this section is
4 in addition to any other transfer authority provided else-
5 where in this Act: *Provided further*, That none of the funds
6 provided under this section may be obligated or expended
7 until 30 days after the Secretary of Defense, through the
8 Under Secretary of Defense (Comptroller) provides the
9 Committees on Appropriations of the House of Represent-
10 atives and the Senate a detailed execution plan for such
11 funds: *Provided further*, That the amounts made available
12 under this section are designated by the Congress as being
13 for an emergency requirement pursuant to section
14 251(b)(2)(A)(i) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 8134. In addition to amounts made available
18 elsewhere in this Act, \$1,000,000,000 is hereby appro-
19 priated to the Department of Defense and made available
20 for transfer to the procurement and research, develop-
21 ment, test and evaluation accounts of the Army, Navy,
22 Marine Corps, Air Force, and Space Force to address de-
23 fense industrial base capacity and workforce shortfalls:
24 *Provided*, That the transfer authority provided under this
25 section is in addition to any other transfer authority pro-

1 vided elsewhere in this Act: *Provided further*, That none
2 of the funds provided under this section may be obligated
3 or expended until 30 days after the Secretary of Defense
4 provides the Committees on Appropriations of the House
5 of Representatives and the Senate a detailed execution
6 plan for such funds: *Provided further*, That the amounts
7 made available under this section are designated by the
8 Congress as being for an emergency requirement pursuant
9 to section 251(b)(2)(A)(i) of the Balanced Budget and
10 Emergency Deficit Control Act of 1985.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 8135. Notwithstanding any other provision of
13 this Act, to reflect higher than anticipated fuel costs, the
14 total amount appropriated in title II of this Act is hereby
15 increased by \$500,000,000: *Provided*, That the amounts
16 made available under this section are designated by the
17 Congress as being for an emergency requirement pursuant
18 to section 251(b)(2)(A)(i) of the Balanced Budget and
19 Emergency Deficit Control Act of 1985.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8136. In addition to amounts made available
22 elsewhere in this Act, \$1,100,000,000, to remain available
23 until September 30, 2025, is hereby appropriated to “Op-
24 eration and Maintenance, Defense-Wide” in order to assist
25 and support the armed forces of Taiwan: *Provided*, That

1 funds may be transferred to accounts under the headings
2 “Operation and Maintenance” and “Procurement” for re-
3 placement of defense articles from the stocks of the De-
4 partment of Defense, defense services of the Department
5 of Defense, and military education and training provided
6 to Taiwan: *Provided further*, That the Secretary of De-
7 fense shall notify the congressional defense committees of
8 the details of such transfers not less than 15 days before
9 any such transfer: *Provided further*, That upon a deter-
10 mination that all or part of the funds transferred from
11 this appropriation are not necessary for the purposes pro-
12 vided herein, such amounts may be transferred back and
13 merged with this appropriation: *Provided further*, That the
14 transfer authority provided under this section is in addi-
15 tion to any other transfer authority provided elsewhere in
16 this Act: *Provided further*, That the amounts made avail-
17 able under this section are designated by the Congress as
18 being for an emergency requirement pursuant to section
19 251(b)(2)(A)(i) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 SEC. 8137. Each amount designated in this Act by
22 the Congress as an emergency requirement pursuant to
23 section 251(b)(2)(A)(i) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985 shall be available
25 (or rescinded, if applicable) only if the President subse-

1 quently so designates all such amounts and transmits such
2 designations to the Congress.

3 SEC. 8138. None of the funds made available by this
4 Act may be used to provide for a Confucius Institute
5 Waiver Program at the Department of Defense, or for the
6 processing or consideration of such a waiver.

7 This Act may be cited as the “Department of Defense
8 Appropriations Act, 2024”.

Calendar No. 181

118TH CONGRESS
1ST Session

S. 2587

[Report No. 118-81]

A BILL

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2024, and for other purposes.

JULY 27, 2023

Read twice and placed on the calendar