

118TH CONGRESS
2D SESSION

H. R. 7113

Making emergency supplemental appropriations in line with the President's request in response to the ongoing attack on Ukraine's sovereignty by Russia and in response to the attacks in Israel for the fiscal year ending September 30, 2024, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2024

Mr. MOSKOWITZ introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

Making emergency supplemental appropriations in line with the President's request in response to the ongoing attack on Ukraine's sovereignty by Russia and in response to the attacks in Israel 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 fiscal year ending September 30, 2022, and for other pur-
6 poses, namely:

1 **DIVISION A—SUPPLEMENTAL FUNDING**
2 **FOR UKRAINE**

3 **TITLE I—DEPARTMENT OF DEFENSE**

4 **MILITARY PROGRAMS**

5 **MILITARY PERSONNEL**

6 **MILITARY PERSONNEL, ARMY**

7 For an additional amount for “Military Personnel,
8 Army”, \$184,029,000, to remain available until Sep-
9 tember 30, 2024, to respond to the situation in Ukraine
10 and for related expenses, including special pay. *Provided,*
11 That such amount is designated by the Congress as an
12 emergency requirement pursuant to section 251(b)(2)(A)
13 of the Balanced Budget and Emergency Deficit Control
14 Act of 1985, as amended: *Provided further,* That such
15 amount shall be available only if the President designates
16 such amount as an emergency requirement pursuant to
17 section 251(b)(2)(A).

18 **MILITARY PERSONNEL, MARINE CORPS**

19 For an additional amount for “Military Personnel,
20 Marine Corps”, \$3,143,000, to remain available until Sep-
21 tember 30, 2024, to respond to the situation in Ukraine
22 and for related expenses, including special pay. *Provided,*
23 That such amount is designated by the Congress as an
24 emergency requirement pursuant to section 251(b)(2)(A)
25 of the Balanced Budget and Emergency Deficit Control

1 Act of 1985, as amended: *Provided further*, That such
2 amount shall be available only if the President designates
3 such amount as an emergency requirement pursuant to
4 section 251(b)(2)(A).

5 MILITARY PERSONNEL, AIR FORCE

6 For an additional amount for “Military Personnel,
7 Air Force”, \$20,700,000, to remain available until Sep-
8 tember 30, 2024, to respond to the situation in Ukraine
9 and for related expenses, including special pay. *Provided*,
10 That such amount is designated by the Congress as an
11 emergency requirement pursuant to section 251(b)(2)(A)
12 of the Balanced Budget and Emergency Deficit Control
13 Act of 1985, as amended: *Provided further*, That such
14 amount shall be available only if the President designates
15 such amount as an emergency requirement pursuant to
16 section 251(b)(2)(A).

17 MILITARY PERSONNEL, SPACE FORCE

18 For an additional amount for “Military Personnel,
19 Space Force”, \$3,724,000, to remain available until Sep-
20 tember 30, 2024, to respond to the situation in Ukraine
21 and for related expenses, including special pay. *Provided*,
22 That such amount is designated by the Congress as an
23 emergency requirement pursuant to section 251(b)(2)(A)
24 of the Balanced Budget and Emergency Deficit Control
25 Act of 1985, as amended: *Provided further*, That such

1 amount shall be available only if the President designates
2 such amount as an emergency requirement pursuant to
3 section 251(b)(2)(A).

4 OPERATION AND MAINTENANCE

5 OPERATION AND MAINTENANCE, ARMY

6 For an additional amount for “Operation and Main-
7 tenance, Army”, \$4,621,610,000, to remain available until
8 September 30, 2024, to respond to the situation in
9 Ukraine and for related expenses. *Provided*, That such
10 amount is designated by the Congress as an emergency
11 requirement pursuant to section 251(b)(2)(A) of the Bal-
12 anced Budget and Emergency Deficit Control Act of 1985,
13 as amended: *Provided further*, That such amount shall be
14 available only if the President designates such amount as
15 an emergency requirement pursuant to section
16 251(b)(2)(A).

17 OPERATION AND MAINTENANCE, NAVY

18 For an additional amount for “Operation and Main-
19 tenance, Navy”, \$1,157,063,000, to remain available until
20 September 30, 2024, to respond to the situation in
21 Ukraine and for related expenses. *Provided*, That such
22 amount is designated by the Congress as an emergency
23 requirement pursuant to section 251(b)(2)(A) of the Bal-
24 anced Budget and Emergency Deficit Control Act of 1985,
25 as amended: *Provided further*, That such amount shall be

1 available only if the President designates such amount as
2 an emergency requirement pursuant to section
3 251(b)(2)(A).

4 OPERATION AND MAINTENANCE, MARINE CORPS

5 For an additional amount for “Operation and Main-
6 tenance, Marine Corps”, \$61,336,000, to remain available
7 until September 30, 2024, to respond to the situation in
8 Ukraine and for related expenses. *Provided*, That such
9 amount is designated by the Congress as an emergency
10 requirement pursuant to section 251(b)(2)(A) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985,
12 as amended: *Provided further*, That such amount shall be
13 available only if the President designates such amount as
14 an emergency requirement pursuant to section
15 251(b)(2)(A).

16 OPERATION AND MAINTENANCE, AIR FORCE

17 For an additional amount for “Operation and Main-
18 tenance, Air Force”, \$797,870,000, to remain available
19 until September 30, 2024, to respond to the situation in
20 Ukraine and for related expenses. *Provided*, That such
21 amount is designated by the Congress as an emergency
22 requirement pursuant to section 251(b)(2)(A) of the Bal-
23 anced Budget and Emergency Deficit Control Act of 1985,
24 as amended: *Provided further*, That such amount shall be
25 available only if the President designates such amount as

1 an emergency requirement pursuant to section
2 251(b)(2)(A).

3 OPERATION AND MAINTENANCE, SPACE FORCE

4 For an additional amount for “Operation and Main-
5 tenance, Space Force”, \$7,500,000, to remain available
6 until September 30, 2024, to respond to the situation in
7 Ukraine and for related expenses. *Provided*, That such
8 amount is designated by the Congress as an emergency
9 requirement pursuant to section 251(b)(2)(A) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985,
11 as amended: *Provided further*, That such amount shall be
12 available only if the President designates such amount as
13 an emergency requirement pursuant to section
14 251(b)(2)(A).

15 OPERATION AND MAINTENANCE, DEFENSE-WIDE

16 For an additional amount for “Operation and Main-
17 tenance, Defense-Wide”, \$30,657,640,000, to remain
18 available until September 30, 2024, to respond to the situ-
19 ation in Ukraine and for related expenses: *Provided*, That
20 of the total amount provided under this heading,
21 \$12,000,000,000, to remain available until September 30,
22 2026, shall be for the Ukraine Security Assistance Initia-
23 tive: *Provided further*, That such funds for the Ukraine
24 Security Assistance Initiative shall be available to the Sec-
25 retary of Defense under the same terms and conditions

1 as are provided for under this heading in the Additional
2 Ukraine Supplemental Appropriations Act, 2023 (division
3 M of Public Law 117–328), and shall be available notwith-
4 standing section 8135 of the Department of Defense Ap-
5 propriations Act, 2023 (division C of Public Law 117–
6 328) or any similar provision in any other Act making ap-
7 propriations for the Department of Defense: *Provided fur-*
8 *ther*, That amounts made available under this heading in
9 this Act shall be available to the Secretary of Defense,
10 with concurrence from the Secretary of State, to provide
11 funding to the recipients of Ukraine Security Assistance
12 Initiative support identified in section 8110 of the Depart-
13 ment of Defense Appropriations Act, 2023 and to provide
14 funding to international trust funds or entities operating
15 for the purpose of providing support to such recipients:
16 *Provided further*, That of the total amount provided under
17 this heading, up to \$18,000,000,000, to remain available
18 until September 30, 2026, may be transferred to accounts
19 under the headings “Operation and Maintenance”, “Pro-
20 curement”, “Research, Development, Test and Evalua-
21 tion”, and “Revolving and Management Funds” for re-
22 placement, through new procurement or repair of existing
23 unserviceable equipment, of defense articles from the
24 stocks of the Department of Defense, and for reimburse-
25 ment for defense services of the Department of Defense

1 and military education and training, provided to the gov-
2 ernment of Ukraine or to foreign countries that have pro-
3 vided support to Ukraine at the request of the United
4 States: *Provided further*, That amounts made available
5 under this heading may also be transferred to accounts
6 under the heading “Procurement” for expansion of public
7 and private plants, including the land necessary therefor,
8 and procurement and installation of equipment, appli-
9 ances, and machine tools in such plants, for the purpose
10 of increasing production of critical munitions: *Provided*
11 *further*, That funds transferred pursuant to a transfer au-
12 thority provided under this heading shall be merged with
13 and available for the same purposes and for the same time
14 period as the appropriations to which the funds are trans-
15 ferred: *Provided further*, That the Secretary of Defense
16 shall notify the Congressional defense committees of the
17 details of such transfers not less than 15 days before any
18 such transfer: *Provided further*, That upon a determina-
19 tion that all or part of the funds transferred from this
20 appropriation are not necessary for the purposes provided
21 herein, such amounts may be transferred back and merged
22 with this appropriation: *Provided further*, That up to
23 \$4,000,000,000 of the funds made available under this
24 heading may be transferred between the Ukraine Security
25 Assistance Initiative and the funds provided for the re-

1 placement of defense articles: *Provided further*, That
2 transfer authority provided under this heading is in addi-
3 tion to any other transfer authority provided by law: *Pro-*
4 *vided further*, That such amount is designated by the Con-
5 gress as an emergency requirement pursuant to section
6 251(b)(2)(A) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985, as amended: *Provided further*,
8 That such amount shall be available only if the President
9 designates such amount as an emergency requirement pur-
10 suant to section 251(b)(2)(A).

11 PROCUREMENT

12 MISSILE PROCUREMENT, ARMY

13 For an additional amount for “Missile Procurement,
14 Army”, \$846,226,000, to remain available until Sep-
15 tember 30, 2026, to respond to the situation in Ukraine
16 and for related expenses. *Provided*, That such amount is
17 designated by the Congress as an emergency requirement
18 pursuant to section 251(b)(2)(A) of the Balanced Budget
19 and Emergency Deficit Control Act of 1985, as amended:
20 *Provided further*, That such amount shall be available only
21 if the President designates such amount as an emergency
22 requirement pursuant to section 251(b)(2)(A).

23 PROCUREMENT OF AMMUNITION, ARMY

24 For an additional amount for “Procurement of Am-
25 muniton, Army”, \$2,510,300,000, to remain available

1 until September 30, 2026, to respond to the situation in
2 Ukraine and for related expenses. *Provided*, That such
3 amount is designated by the Congress as an emergency
4 requirement pursuant to section 251(b)(2)(A) of the Bal-
5 anced Budget and Emergency Deficit Control Act of 1985,
6 as amended: *Provided further*, That such amount shall be
7 available only if the President designates such amount as
8 an emergency requirement pursuant to section
9 251(b)(2)(A).

10 WEAPONS PROCUREMENT, NAVY

11 For an additional amount for “Weapons Procure-
12 ment, Navy”, \$117,500,000, to remain available until
13 September 30, 2026, to respond to the situation in
14 Ukraine and for related expenses. *Provided*, That such
15 amount is designated by the Congress as an emergency
16 requirement pursuant to section 251(b)(2)(A) of the Bal-
17 anced Budget and Emergency Deficit Control Act of 1985,
18 as amended: *Provided further*, That such amount shall be
19 available only if the President designates such amount as
20 an emergency requirement pursuant to section
21 251(b)(2)(A).

22 PROCUREMENT OF AMMUNITION, NAVY AND MARINE

23 CORPS

24 For an additional amount for “Procurement of Am-
25 muniton, Navy and Marine Corps”, \$175,000,000, to re-

1 main available until September 30, 2026, to respond to
2 the situation in Ukraine and for related expenses. *Pro-*
3 *vided*, That such amount is designated by the Congress
4 as an emergency requirement pursuant to section
5 251(b)(2)(A) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985, as amended: *Provided further*,
7 That such amount shall be available only if the President
8 designates such amount as an emergency requirement pur-
9 suant to section 251(b)(2)(A).

10 OTHER PROCUREMENT, NAVY

11 For an additional amount for “Other Procurement,
12 Navy”, \$26,000,000, to remain available until September
13 30, 2026, to respond to the situation in Ukraine and for
14 related expenses. *Provided*, That such amount is des-
15 ignated by the Congress as an emergency requirement
16 pursuant to section 251(b)(2)(A) of the Balanced Budget
17 and Emergency Deficit Control Act of 1985, as amended:
18 *Provided further*, That such amount shall be available only
19 if the President designates such amount as an emergency
20 requirement pursuant to section 251(b)(2)(A).

21 AIRCRAFT PROCUREMENT, AIR FORCE

22 For an additional amount for “Aircraft Procurement,
23 Air Force”, \$1,750,000, to remain available until Sep-
24 tember 30, 2026, to respond to the situation in Ukraine
25 and for related expenses. *Provided*, That such amount is

1 designated by the Congress as an emergency requirement
2 pursuant to section 251(b)(2)(A) of the Balanced Budget
3 and Emergency Deficit Control Act of 1985, as amended:
4 *Provided further*, That such amount shall be available only
5 if the President designates such amount as an emergency
6 requirement pursuant to section 251(b)(2)(A).

7 OTHER PROCUREMENT, AIR FORCE

8 For an additional amount for “Other Procurement,
9 Air Force”, \$2,646,928,000, to remain available until
10 September 30, 2026, to respond to the situation in
11 Ukraine and for other expenses. *Provided*, That such
12 amount is designated by the Congress as an emergency
13 requirement pursuant to section 251(b)(2)(A) of the Bal-
14 anced Budget and Emergency Deficit Control Act of 1985,
15 as amended: *Provided further*, That such amount shall be
16 available only if the President designates such amount as
17 an emergency requirement pursuant to section
18 251(b)(2)(A).

19 PROCUREMENT, DEFENSE-WIDE

20 For an additional amount for “Procurement, De-
21 fense-Wide”, \$46,780,000, to remain available until Sep-
22 tember 30, 2026, to respond to the situation in Ukraine
23 and for related expenses. *Provided*, That such amount is
24 designated by the Congress as an emergency requirement
25 pursuant to section 251(b)(2)(A) of the Balanced Budget

1 and Emergency Deficit Control Act of 1985, as amended:
2 *Provided further*, That such amount shall be available only
3 if the President designates such amount as an emergency
4 requirement pursuant to section 251(b)(2)(A).

5 RESEARCH, DEVELOPMENT, TEST, AND
6 EVALUATION

7 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
8 ARMY

9 For an additional amount for “Research, Develop-
10 ment, Test and Evaluation, Army”, \$16,518,000, to re-
11 main available until September 30, 2025, to respond to
12 the situation in Ukraine and for related expenses. *Pro-*
13 *vided*, That such amount is designated by the Congress
14 as an emergency requirement pursuant to section
15 251(b)(2)(A) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985, as amended: *Provided further*,
17 That such amount shall be available only if the President
18 designates such amount as an emergency requirement pur-
19 suant to section 251(b)(2)(A).

20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
21 NAVY

22 For an additional amount for “Research, Develop-
23 ment, Test and Evaluation, Navy”, \$12,281,000, to re-
24 main available until September 30, 2025, to respond to
25 the situation in Ukraine and for related expenses. *Pro-*

1 *vided*, That such amount is designated by the Congress
2 as an emergency requirement pursuant to section
3 251(b)(2)(A) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985, as amended: *Provided further*,
5 That such amount shall be available only if the President
6 designates such amount as an emergency requirement pur-
7 suant to section 251(b)(2)(A).

8 RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR
9 FORCE

10 For an additional amount for “Research, Develop-
11 ment, Test and Evaluation, Air Force”, \$361,411,000, to
12 remain available until September 30, 2025, to respond to
13 the situation in Ukraine and for related expenses. *Pro-*
14 *vided*, That such amount is designated by the Congress
15 as an emergency requirement pursuant to section
16 251(b)(2)(A) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985, as amended: *Provided further*,
18 That such amount shall be available only if the President
19 designates such amount as an emergency requirement pur-
20 suant to section 251(b)(2)(A).

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
22 DEFENSE-WIDE

23 For an additional amount for “Research, Develop-
24 ment, Test and Evaluation, Defense-Wide”,
25 \$172,451,000, to remain available until September 30,

1 2025, to respond to the situation in Ukraine and for re-
2 lated expenses. *Provided*, That such amount is designated
3 by the Congress as an emergency requirement pursuant
4 to section 251(b)(2)(A) of the Balanced Budget and
5 Emergency Deficit Control Act of 1985, as amended: *Pro-*
6 *vided further*, That such amount shall be available only
7 if the President designates such amount as an emergency
8 requirement pursuant to section 251(b)(2)(A).

9 GENERAL PROVISIONS—THIS TITLE

10 SEC. 1001. Upon the determination of the Secretary
11 of Defense that such action is necessary in the national
12 interest, the Secretary may, with the approval of the Of-
13 fice of Management and Budget, transfer up to
14 \$4,000,000,000 between the appropriations or funds made
15 available to the Department of Defense in this Act: *Pro-*
16 *vided*, That the Secretary shall notify the Congress
17 promptly of each transfer made pursuant to the authority
18 in this paragraph: *Provided further*, That the authority
19 provided in this paragraph is in addition to any other
20 transfer authority otherwise provided by law and is subject
21 to the same terms and conditions as the authority pro-
22 vided in section 8005 of the Department of Defense Ap-
23 propriations Act, 2023, or any similar provision in any
24 subsequent Act making appropriations for the Department

1 of Defense for Fiscal Year 2024, except for monetary limi-
2 tations concerning the amount of authority available.

3 SEC. 1002. Upon the determination of the Secretary
4 of Defense that such action is necessary in the national
5 interest, the Secretary may, with the approval of the Of-
6 fice of Management and Budget, transfer up to
7 \$1,000,000,000 of the funds made available to the Direc-
8 tor of National Intelligence for the National Intelligence
9 Program in this Act between such appropriations or funds
10 or any subdivision thereof, to be merged with and to be
11 available for the same purposes, and for the same time
12 period, as the appropriation or fund to which the amount
13 is transferred: *Provided*, That the Director of National In-
14 telligence shall notify the Congress promptly of all trans-
15 fers made pursuant to this authority: *Provided further*,
16 That the transfer authority provided by this paragraph is
17 in addition to any transfer authority otherwise provided
18 by law.

19 TITLE II—DEPARTMENT OF ENERGY

20 DEPARTMENT OF ENERGY

21 NATIONAL NUCLEAR SECURITY

22 ADMINISTRATION

23 FEDERAL SALARIES AND EXPENSES

24 For an additional amount for “Federal Salaries and
25 Expenses”, \$5,540,000, to remain available until Sep-

1 tember 30, 2025, to respond to the situation in Ukraine
2 and for related expenses. *Provided*, That such amount is
3 designated by the Congress as an emergency requirement
4 pursuant to section 251(b)(2)(A) of the Balanced Budget
5 and Emergency Deficit Control Act of 1985, as amended:
6 *Provided further*, That such amount shall be available only
7 if the President designates such amount as an emergency
8 requirement pursuant to section 251(b)(2)(A).

9 DEFENSE NUCLEAR NONPROLIFERATION

10 For an additional amount for “Defense Nuclear Non-
11 proliferation”, \$143,915,000, to remain available until ex-
12 pended, to respond to the situation in Ukraine and for
13 related expenses. *Provided*, That such amount is des-
14 ignated by the Congress as an emergency requirement
15 pursuant to section 251(b)(2)(A) of the Balanced Budget
16 and Emergency Deficit Control Act of 1985, as amended:
17 *Provided further*, That such amount shall be available only
18 if the President designates such amount as an emergency
19 requirement pursuant to section 251(b)(2)(A).

20 INTELLIGENCE COMMUNITY MANAGEMENT

21 ACCOUNT

22 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

23 For an additional amount for “Intelligence Commu-
24 nity Management Account”, \$2,000,000, to remain avail-
25 able until September 30, 2024, to respond to the situation

1 in Ukraine and for related expenses. *Provided*, That such
2 amount is designated by the Congress as an emergency
3 requirement pursuant to section 251(b)(2)(A) of the Bal-
4 anced Budget and Emergency Deficit Control Act of 1985,
5 as amended: *Provided further*, That such amount shall be
6 available only if the President designates such amount as
7 an emergency requirement pursuant to section
8 251(b)(2)(A).

9 **DIVISION B—SUPPLEMENTAL FUNDING**
10 **FOR ISRAEL**

11 DEPARTMENT OF DEFENSE—MILITARY
12 PROGRAMS

13 OPERATIONS AND MAINTENANCE

14 OPERATION AND MAINTENANCE, DEFENSE-WIDE

15 For an additional amount for “Operation and Main-
16 tenance, Defense-Wide”, \$4,400,000,000, to remain avail-
17 able until September 30, 2025, to respond to the situation
18 in Israel and for related expenses: *Provided*, That amounts
19 made available by under this heading shall be available
20 for transfer to accounts under the headings “Operation
21 and Maintenance”, “Procurement”, “Research, Develop-
22 ment, Test and Evaluation”, and “Revolving and Manage-
23 ment Funds” for replacement, through new procurement
24 or repair of existing unserviceable equipment, of defense
25 articles from the stocks of the Department of Defense, and

1 for reimbursement for defense services of the Department
2 of Defense and military education and training, provided
3 to or identified for provision to Israel or to foreign coun-
4 tries that have provided support to Israel at the request
5 of the United States: *Provided further*, That amounts
6 made available under this heading may also be transferred
7 to accounts under the heading “Procurement” for expan-
8 sion of public and private plants, including the land nec-
9 essary therefore, and procurement and installation of
10 equipment, appliances, and machine tools in such plants,
11 for the purpose of increasing production of critical muni-
12 tions: *Provided further*, That of amounts made available
13 under this heading may also be transferred to accounts
14 under the heading “Procurement” and “Research, Devel-
15 opment, Test and Evaluation” for the acquisition of crit-
16 ical defense articles: *Provided further*, That funds trans-
17 ferred pursuant to a transfer authority provided under
18 this heading shall be merged with and available for the
19 same purposes and for the same time period as the appro-
20 priations to which the funds are transferred: *Provided fur-*
21 *ther*, That the Secretary of Defense shall notify the con-
22 gressional defense committees of the details of such trans-
23 fers not less than 15 days before any such transfer: *Pro-*
24 *vided further*, That upon a determination that all or part
25 of the funds transferred from this appropriation are not

1 necessary for the purposes provided under this heading,
2 such amounts may be transferred back and merged with
3 this appropriation: *Provided further*, That amounts may
4 be transferred between appropriations made under this
5 heading: *Provided further*, That any transfer authority
6 provided under this heading is in addition to any other
7 transfer authority provided by law: *Provided further*, That
8 such amount in this paragraph is designated by the Con-
9 gress as an emergency requirement pursuant to section
10 251(b)(2)(A) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985, as amended: *Provided further*,
12 That such amounts shall be available only if the President
13 designates such amount as an emergency requirement pur-
14 suant to section 251(b)(2)(A).

15 PROCUREMENT OF AMMUNITION, ARMY

16 For an additional amount for “Procurement of Am-
17 munition, Army”, \$801,400,000, to remain available until
18 September 30, 2026, to respond to the situation in Israel
19 and for related expenses. *Provided*, That such amount is
20 designated by the Congress as an emergency requirement
21 pursuant to section 251(b)(2)(A) of the Balanced Budget
22 and Emergency Deficit Control Act of 1985, as amended:
23 *Provided further*, That such amount shall be available only
24 if the President designates such amount as an emergency
25 requirement pursuant to section 251(b)(2)(A).

1 suant to sections 108, 301, 302, and 303 of the Defense
2 Production Act of 1950 (50 U.S.C. 4518, 4531, 4532, and
3 4533): *Provided*, That such amounts shall be obligated
4 and expended by the Secretary of Defense as if delegated
5 the necessary authorities conferred by the Defense Pro-
6 duction Act of 1950: *Provided further*, That such amount
7 is designated by the Congress as an emergency require-
8 ment pursuant to section 251(b)(2)(A) of the Balanced
9 Budget and Emergency Deficit Control Act of 1985, as
10 amended: *Provided further*, That such amount shall be
11 available only if the President designates such amount as
12 an emergency requirement pursuant to section
13 251(b)(2)(A).

14 RESEARCH, DEVELOPMENT, TEST, AND
15 EVALUATION

16 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
17 DEFENSE-WIDE

18 For an additional amount for “Research, Develop-
19 ment, Test and Evaluation, Defense-Wide”,
20 \$1,200,000,000, to remain available until September 30,
21 2026, for the Secretary of Defense to provide to the Gov-
22 ernment of Israel for the development of the Iron Beam
23 defense system to counter short-range rocket threats: *Pro-*
24 *vided*, That such funds shall be transferred pursuant to
25 an exchange of letters: *Provided further*, That nothing in

1 the preceding proviso shall be construed to apply to
2 amounts made available in prior appropriations Acts for
3 the development of the Iron Beam defense system: *Pro-*
4 *vided further*, That such amount is designated by the Con-
5 gress as being for an emergency requirement pursuant to
6 section 251(b)(2)(A) of the Balanced Budget and Emer-
7 gency Deficit Control Act of 1985, as amended: *Provided*
8 *further*, That such amounts shall be available only if the
9 President designates such amount as an emergency re-
10 quirement pursuant to section 251(b)(2)(A).

11 GENERAL PROVISIONS—THIS DIVISION

12 SEC. 2001. Section 12001 of the Department of De-
13 fense Appropriations Act, 2005 (Public Law 108–287), as
14 amended by Public Law 115–141, is amended as follows:

15 (1) In paragraph (2) of subsection (a), by striking
16 “armor” and all that follows through the end of the para-
17 graph and inserting “defense articles that are in the inven-
18 tory of the Department of Defense as of the date of trans-
19 fer, are intended for use as reserve stocks for Israel, and
20 are located in a stockpile for Israel as of the date of trans-
21 fer”;

22 (2) In subsection (b), by striking “at least equal to
23 the fair market value of the items transferred” and insert-
24 ing “in an amount to be determined by the Secretary of
25 Defense”; and

1 (3) In subsection (c), by inserting before the comma
2 in the first sentence the following: “, or as far in advance
3 of such transfer as is practicable as determined by the
4 President on a case-by-case basis during extraordinary cir-
5 cumstances impacting the national security of the United
6 States”.

7 SEC. 2002. For fiscal year 2024, section 514(b) of
8 the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b))
9 shall not apply to defense articles to be set aside, ear-
10 marked, reserved, or intended for use as reserve stocks
11 in stockpiles in the State of Israel.

○