

118TH CONGRESS
2D SESSION

H. R. 7372

Making emergency supplemental appropriations to provide defense support to Ukraine, Israel, and Taiwan for the fiscal year ending September 30, 2024, to require the Secretary of Homeland Security to suspend the entry of inadmissible aliens, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2024

Mr. FITZPATRICK (for himself, Mr. GOLDEN of Maine, Mr. BACON, Mr. CASE, Mr. LAWLER, and Ms. PEREZ) 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 to provide defense support to Ukraine, Israel, and Taiwan for the fiscal year ending September 30, 2024, to require the Secretary of Homeland Security to suspend the entry of inadmissible aliens, 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 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Defending Borders,
5 Defending Democracies Act”.

1 **SEC. 2. EXPIRATION OF AUTHORITIES AND APPROPRIA-**
2 **TIONS.**

3 Authorities provided by this Act and any amounts au-
4 thorized or otherwise made available under this Act may
5 not be exercised after the date that is 1 year after the
6 date of enactment of this Act.

7 **DIVISION A—DEFENDING**
8 **BORDERS**

9 **SEC. 101. TEMPORARY EXPULSION OF INADMISSIBLE AR-**
10 **RIVING ALIENS.**

11 (a) **IN GENERAL.**—Notwithstanding any other provi-
12 sion of law, during the period beginning on the date of
13 the enactment of this Act and ending on the date that
14 is 1 year following the date of enactment of this Act, an
15 immigration officer who determines that an alien who is
16 arriving in the United States at or along the border be-
17 tween the United States and Mexico is inadmissible under
18 section paragraph (6)(C) or (7) of section 212(a) of the
19 Immigration and Nationality Act (8 U.S.C. 1182(a)),
20 shall, subject to sections 102 and 103, process the alien
21 for expulsion from the United States without further hear-
22 ing or review.

23 (b) **DETENTION PENDING EXPULSION.**—An alien
24 subject to expulsion under subsection (a) shall be detained
25 pending expulsion.

1 **SEC. 102. COUNTRIES TO WHICH ALIENS MAY BE EX-**
2 **PELLED.**

3 (a) IN GENERAL.—Except as provided in subsection
4 (b), an alien who is processed for expulsion pursuant to
5 section 101(a) shall be expelled to Mexico.

6 (b) ALTERNATIVE COUNTRIES.—If the Government
7 of Mexico is unwilling to accept an alien subject to expul-
8 sion under section 101(a) into the territory of Mexico or
9 if the Secretary of Homeland Security determines that ex-
10 pulsion to Mexico would not be in the national interest
11 of the United States, such alien shall be expelled, as di-
12 rected by the Secretary, to—

13 (1) the country of which such alien is a citizen,
14 subject, or national;

15 (2) the country in which such alien was born;

16 (3) the country in which such alien has a resi-
17 dence; or

18 (4) a country with a government that will ac-
19 cept such alien into its territory if expulsion to each
20 country described in paragraphs (1) through (3) is
21 impracticable, inadvisable, or impossible.

22 (c) RESTRICTION ON EXPULSION TO A COUNTRY
23 WHERE AN ALIEN WOULD BE THREATENED WITH PER-
24 SECUTION OR TORTURE.—

25 (1) IN GENERAL.—Notwithstanding subsections

26 (a) and (b), and except as provided in paragraph

1 (2), the Secretary of Homeland Security may not
2 expel an alien to a country if—

3 (A) the alien’s life or freedom would be
4 threatened in such country because of such
5 alien’s race, religion, nationality, membership in
6 a particular social group or political opinion; or

7 (B) there are substantial grounds for be-
8 lieving that such alien would be in danger of
9 being subjected to torture if expelled to such
10 country.

11 (2) EXCEPTION.—Paragraph (1) shall not
12 apply—

13 (A) to an alien who is deportable under
14 section 237(a)(4)(D) of the Immigration and
15 Nationality Act (8 U.S.C. 1227(a)(4)(D)); or

16 (B) if the Secretary of Homeland Security
17 determines that—

18 (i) the alien ordered, incited, assisted,
19 or otherwise participated in the persecution
20 of an individual because of the individual’s
21 race, religion, nationality, membership in a
22 particular social group, or political opinion;

23 (ii) the alien, having been convicted by
24 a final judgement of a particularly serious

1 crime, is a danger to the citizens of the
2 United States;

3 (iii) there are serious reasons to be-
4 lieve that the alien committed a serious
5 nonpolitical crime outside the United
6 States before the alien arrived in the
7 United States; or

8 (iv) there are reasonable grounds to
9 believe that the alien is a danger to the na-
10 tional security of the United States.

11 (3) DETERMINATIONS.—

12 (A) PARTICULARLY SERIOUS CRIME.—For
13 purposes of paragraph (2)(B)(ii), an alien who
14 has been convicted of an aggravated felony or
15 felonies for which the alien has been sentenced
16 to an aggregate term of imprisonment of not
17 less than 5 years shall be considered to have
18 committed a particularly serious crime. Not-
19 withstanding the previous sentence, the Sec-
20 retary of Homeland Security may determine
21 that an alien sentenced to an aggregate term of
22 imprisonment of less than 5 years has been
23 convicted of a particularly serious crime.

24 (B) DANGER TO NATIONAL SECURITY.—
25 For purposes of paragraph (2)(B)(iv), an alien

1 who is described in section 237(a)(4)(B) of the
2 Immigration and Nationality Act (8 U.S.C.
3 1227(a)(4)(B)) shall be considered to be an
4 alien with respect to whom there are reasonable
5 grounds for regarding as a danger to the na-
6 tional security of the United States.

7 (4) REFERRAL TO ASYLUM OFFICER.—

8 (A) REFERRAL.—If an alien expresses to
9 an immigration officer a fear that such alien's
10 life or freedom would be threatened in the coun-
11 try to which such alien will be expelled or that
12 the alien would be in danger of being subjected
13 to torture in such country, the immigration offi-
14 cer shall refer the alien for an interview by an
15 asylum officer employed in the Refugee, Asylum
16 and International Operations Directorate of
17 U.S. Citizenship and Immigration Services for a
18 determination pursuant to paragraphs (1) and
19 (2).

20 (B) BURDEN OF PROOF; CREDIBILITY.—In
21 determining whether an alien has demonstrated
22 that such alien's life or freedom would be
23 threatened for a reason described in paragraph
24 (1)(A) or whether the alien would be subjected

1 to torture described in subparagraph (1)(B),
2 the asylum officer shall—

3 (i) determine whether the alien has
4 sustained the alien’s burden of proof; and

5 (ii) make credibility determinations, in
6 the manner described in clauses (ii) and
7 (iii) of section 208(b)(1)(B) of the Immi-
8 gration and Nationality Act (8 U.S.C.
9 1158(b)(1)(B)).

10 **SEC. 103. WAIVER AUTHORITY.**

11 (a) IN GENERAL.—The Office of Field Operations
12 Port Director (referred to in this subsection as “Direc-
13 tor”) for each land port of entry situated on the border
14 between the United States and Mexico shall coordinate
15 with the Commissioner of U.S. Customs and Border Pro-
16 tection to determine the maximum number of aliens per
17 day that the Office of Field Operations staff at such port
18 are capable of—

19 (1) safely processing through such port of
20 entry; and

21 (2) placing with nongovernmental organizations
22 to provide short term shelter and services.

23 (b) STRATEGY.—At the time of a determination
24 under subsection (a), the Director shall develop a strategy

1 to safely and humanely identify eligible individuals in the
2 United States, giving priority to individuals who—

3 (1) have a disability or an acute medical condi-
4 tion;

5 (2) are in need of advanced medical care that
6 cannot be obtained in their current location; or

7 (3) are described in section 102(c)(1).

8 (c) EXCEPTION.—An immigration officer, after ap-
9 proval from the Commissioner of U.S. Customs and Bor-
10 der Protection, may, on a case-by-case basis, except an
11 alien from expulsion based on the totality of the cir-
12 cumstances, including consideration of significant law en-
13 forcement officer, public safety, humanitarian, and public
14 health interests. An alien who has been excepted from ex-
15 pulsion under this subsection shall be processed in accord-
16 ance with the immigration laws (as defined in section
17 101(a)(17) of the Immigration and Nationality Act (8
18 U.S.C. 1101(a)(17))).

19 **SEC. 104. AUTHORITY TO SUSPEND ENTRY OF ALIENS AT**
20 **THE BORDER.**

21 (a) AUTHORITY TO SUSPEND ENTRY OF ALIENS AT
22 BORDERS OF THE UNITED STATES.—Notwithstanding
23 any other provision of law, if the Secretary of Homeland
24 Security determines, in his discretion, that the suspension
25 of the entry of covered aliens at an international land or

1 maritime border of the United States is necessary in order
2 to achieve operational control over such border, the Sec-
3 retary may prohibit, in whole or in part, the entry of cov-
4 ered aliens at such border for such period of time as the
5 Secretary determines is necessary for such purpose.

6 (b) DEFINITIONS.—In this section:

7 (1) Except as otherwise provided, the terms
8 have the meanings given such terms in section 101
9 of the Immigration and Nationality Act (8 U.S.C.
10 1101).

11 (2) The term “covered alien” means an alien
12 seeking entry to the United States who is inadmis-
13 sible under section 212(a)(7) of the Immigration
14 and Nationality Act (8 U.S.C. 1182(a)(7)).

15 (3) The term “operational control” has the
16 meaning given such term in section 2 of the Secure
17 Fence Act of 2006 (8 U.S.C. 1701 note).

18 **SEC. 105. LIMITATION ON USE OF FEDERAL FUNDS TO**
19 **MOVE ALIENS.**

20 No Federal funds may be used to transfer or other-
21 wise move an alien in the custody of the Federal Govern-
22 ment from a facility in which such alien was first detained
23 to another location for a purpose other than adjudicating
24 such alien’s status.

1 **SEC. 106. TREATMENT OF ALIENS ARRIVING FROM CONTIG-**
2 **UOUS TERRITORY.**

3 Section 1225(b)(2)(C) of title 8, United States Code,
4 is amended by striking “may” and inserting “shall”.

5 **DIVISION B—DEFENDING DEMOCRACIES**

6 The following sums are appropriated, out of any
7 money in the Treasury not otherwise appropriated, for the
8 fiscal year ending September 30, 2024, and for other pur-
9 poses, namely:

10 **MILITARY PERSONNEL**

11 **MILITARY PERSONNEL, ARMY**

12 For an additional amount for “Military Personnel,
13 Army”, \$207,158,000, to remain available until Sep-
14 tember 30, 2025, to respond to the situation in Ukraine
15 and for related expenses: *Provided*, That such amount is
16 designated by the Congress as being for an emergency re-
17 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
18 anced Budget and Emergency Deficit Control Act of 1985.

19 **MILITARY PERSONNEL, MARINE CORPS**

20 For an additional amount for “Military Personnel,
21 Marine Corps”, \$3,538,000, to remain available until Sep-
22 tember 30, 2025, to respond to the situation in Ukraine
23 and for related expenses: *Provided*, That such amount is
24 designated by the Congress as being for an emergency re-
25 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
26 anced Budget and Emergency Deficit Control Act of 1985.

1 MILITARY PERSONNEL, AIR FORCE

2 For an additional amount for “Military Personnel,
3 Air Force”, \$23,302,000, to remain available until Sep-
4 tember 30, 2025, to respond to the situation in Ukraine
5 and for related expenses: *Provided*, That such amount is
6 designated by the Congress as being for an emergency re-
7 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985.

9 MILITARY PERSONNEL, SPACE FORCE

10 For an additional amount for “Military Personnel,
11 Space Force”, \$4,192,000, to remain available until Sep-
12 tember 30, 2025, to respond to the situation in Ukraine
13 and for related expenses: *Provided*, That such amount is
14 designated by the Congress as being for an emergency re-
15 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985.

17 OPERATION AND MAINTENANCE

18 OPERATION AND MAINTENANCE, ARMY

19 For an additional amount for “Operation and Main-
20 tenance, Army”, \$4,887,581,000, to remain available until
21 September 30, 2025, to respond to the situation in
22 Ukraine and for related expenses: *Provided*, That such
23 amount is designated by the Congress as being for an
24 emergency requirement pursuant to section

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

3 OPERATION AND MAINTENANCE, NAVY

4 For an additional amount for “Operation and Main-
5 tenance, Navy”, \$1,534,163,000, to remain available until
6 September 30, 2025, to respond to the situation in
7 Ukraine, to support improvements to the submarine indus-
8 trial base, and for related expenses: *Provided*, That of the
9 total amount provided under this heading in this Act,
10 \$976,405,000 shall be to respond to the situation in
11 Ukraine and for related expenses: *Provided further*, That
12 of the total amount provided under this heading in this
13 Act, \$557,758,000 shall be to support improvements to
14 the submarine industrial base and for related expenses:
15 *Provided further*, That such amount is designated by the
16 Congress as being for an emergency requirement pursuant
17 to section 251(b)(2)(A)(i) of the Balanced Budget and
18 Emergency Deficit Control Act of 1985.

19 OPERATION AND MAINTENANCE, MARINE CORPS

20 For an additional amount for “Operation and Main-
21 tenance, Marine Corps”, \$69,045,000, to remain available
22 until September 30, 2025, to respond to the situation in
23 Ukraine and for related expenses: *Provided*, That such
24 amount is designated by the Congress as being for an
25 emergency requirement pursuant to section

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

3 OPERATION AND MAINTENANCE, AIR FORCE

4 For an additional amount for “Operation and Main-
5 tenance, Air Force”, \$846,869,000, to remain available
6 until September 30, 2025, to respond to the situation in
7 Ukraine and for related expenses: *Provided*, That such
8 amount is designated by the Congress as being for an
9 emergency requirement pursuant to section
10 251(b)(2)(A)(i) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, SPACE FORCE

13 For an additional amount for “Operation and Main-
14 tenance, Space Force”, \$8,443,000, to remain available
15 until September 30, 2025, to respond to the situation in
16 Ukraine and for related expenses: *Provided*, That such
17 amount is designated by the Congress as being for an
18 emergency requirement pursuant to section
19 251(b)(2)(A)(i) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 OPERATION AND MAINTENANCE, DEFENSE-WIDE

22 (INCLUDING TRANSFERS OF FUNDS)

23 For an additional amount for “Operation and Main-
24 tenance, Defense-Wide”, \$34,230,780,000, to remain
25 available until September 30, 2025, to respond to the situ-

1 ations in Israel, Ukraine, and Taiwan and for related ex-
2 penses: *Provided*, That of the total amount provided under
3 this heading in this Act, \$13,772,460,000 shall be for the
4 Ukraine Security Assistance Initiative: *Provided further*,
5 That such funds for the Ukraine Security Assistance Ini-
6 tiative shall be available to the Secretary of Defense under
7 the same terms and conditions as are provided for under
8 this heading in the Additional Ukraine Supplemental Ap-
9 propriations Act, 2023 (division M of Public Law 117–
10 328), and shall be available notwithstanding section 8135
11 of the Department of Defense Appropriations Act, 2023
12 (division C of Public Law 117–328) or any similar provi-
13 sion in any other Act making appropriations for the De-
14 partment of Defense: *Provided further*, That of the total
15 amount provided under this heading in this Act, up to
16 \$4,400,000,000, to remain available until September 30,
17 2025, may be transferred to accounts under the headings
18 “Operation and Maintenance”, “Procurement”, and “Re-
19 volving and Management Funds” for replacement,
20 through new procurement or repair of existing unservice-
21 able equipment, of defense articles from the stocks of the
22 Department of Defense, and for reimbursement for de-
23 fense services of the Department of Defense and military
24 education and training, provided to or identified for provi-
25 sion to the Government of Israel or to foreign countries

1 that have provided support to Israel at the request of the
2 United States: *Provided further*, That up to
3 \$13,414,432,000, to remain available until September 30,
4 2025, may be transferred to accounts under the headings
5 “Operation and Maintenance”, “Procurement”, and “Re-
6 volving and Management Funds” for replacement,
7 through new procurement or repair of existing unservice-
8 able equipment, of defense articles from the stocks of the
9 Department of Defense, and for reimbursement for de-
10 fense services of the Department of Defense and military
11 education and training, provided to or identified for provi-
12 sion to the Government of Ukraine or to foreign countries
13 that have provided support to Ukraine at the request of
14 the United States: *Provided further*, That up to
15 \$1,900,000,000, to remain available until September 30,
16 2025, may be transferred to accounts under the headings
17 “Operation and Maintenance”, “Procurement”, and “Re-
18 volving and Management Funds” for replacement,
19 through new procurement or repair of existing unservice-
20 able equipment, of defense articles from the stocks of the
21 Department of Defense, and for reimbursement for de-
22 fense services of the Department of Defense and military
23 education and training, provided to or identified for provi-
24 sion to the Government of Taiwan or to foreign countries
25 that have provided support to Taiwan at the request of

1 the United States: *Provided further*, That funds trans-
2 ferred pursuant to the preceding three provisos shall be
3 merged with and available for the same purposes and for
4 the same time period as the appropriations to which the
5 funds are transferred: *Provided further*, That the Sec-
6 retary of Defense shall notify the congressional defense
7 committees of the details of such transfers not less than
8 15 days before any such transfer: *Provided further*, That
9 upon a determination that all or part of the funds trans-
10 ferred from this appropriation are not necessary for the
11 purposes provided herein, such amounts may be trans-
12 ferred back and merged with this appropriation: *Provided*
13 *further*, That any transfer authority provided herein is in
14 addition to any other transfer authority provided by law:
15 *Provided further*, That such amount is designated by the
16 Congress as being for an emergency requirement pursuant
17 to section 251(b)(2)(A)(i) of the Balanced Budget and
18 Emergency Deficit Control Act of 1985.

19 PROCUREMENT

20 MISSILE PROCUREMENT, ARMY

21 For an additional amount for “Missile Procurement,
22 Army”, \$2,742,757,000, to remain available until Sep-
23 tember 30, 2025, to respond to the situation in Ukraine
24 and for related expenses: *Provided*, That such amount is
25 designated by the Congress as being for an emergency re-

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

3 PROCUREMENT OF AMMUNITION, ARMY

4 For an additional amount for “Procurement of Am-
5 munition, Army”, \$6,414,300,000, to remain available
6 until September 30, 2025, to respond to the situations in
7 Israel and Ukraine and for related expenses: *Provided*,
8 That of the total amount provided under this heading in
9 this Act, \$801,400,000 shall be to respond to the situation
10 in Israel and for related expenses: *Provided further*, That
11 of the total amount provided under this heading in this
12 Act, \$5,612,900,000 shall be to respond to the situation
13 in Ukraine and for related expenses: *Provided further*,
14 That such amount is designated by the Congress as being
15 for an emergency requirement pursuant to section
16 251(b)(2)(A)(i) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 OTHER PROCUREMENT, ARMY

19 For an additional amount for “Other Procurement,
20 Army”, \$308,991,000, to remain available until Sep-
21 tember 30, 2025, to respond to the situation in Ukraine
22 and for related expenses: *Provided*, That such amount is
23 designated by the Congress as being for an emergency re-
24 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
25 anced Budget and Emergency Deficit Control Act of 1985.

1 WEAPONS PROCUREMENT, NAVY

2 For an additional amount for “Weapons Procure-
3 ment, Navy”, \$706,976,000, to remain available until
4 September 30, 2025, to respond to the situation in
5 Ukraine and for related expenses: *Provided*, That such
6 amount is designated by the Congress as being for an
7 emergency requirement pursuant to section
8 251(b)(2)(A)(i) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985.

10 SHIPBUILDING AND CONVERSION, NAVY

11 For an additional amount for “Shipbuilding and Con-
12 version, Navy”, \$2,155,000,000, to remain available until
13 September 30, 2025, to support improvements to the sub-
14 marine industrial base and for related expenses: *Provided*,
15 That of the total amount provided under this heading in
16 this Act, funds shall be available as follows:

17 Columbia Class Submarine (AP),
18 \$1,955,000,000; and

19 Virginia Class Submarine (AP), \$200,000,000:
20 *Provided further*, That such amount is designated by the
21 Congress as being for an emergency requirement pursuant
22 to section 251(b)(2)(A)(i) of the Balanced Budget and
23 Emergency Deficit Control Act of 1985.

1 OTHER PROCUREMENT, NAVY

2 For an additional amount for “Other Procurement,
3 Navy”, \$319,570,000, to remain available until September
4 30, 2025, to respond to the situation in Ukraine, to sup-
5 port improvements to the submarine industrial base, and
6 for related expenses: *Provided*, That of the total amount
7 provided under this heading in this Act, \$26,000,000 shall
8 be to respond to the situation in Ukraine and for related
9 expenses: *Provided further*, That of the total amount pro-
10 vided under this heading in this Act, \$293,570,000 shall
11 be to support improvements to the submarine industrial
12 base and for related expenses: *Provided further*, That such
13 amount is designated by the Congress as being for an
14 emergency requirement pursuant to section
15 251(b)(2)(A)(i) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 PROCUREMENT, MARINE CORPS

18 For an additional amount for “Procurement, Marine
19 Corps”, \$212,443,000, to remain available until Sep-
20 tember 30, 2025, to respond to the situation in Ukraine
21 and for related expenses: *Provided*, That such amount is
22 designated by the Congress as being for an emergency re-
23 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
24 anced Budget and Emergency Deficit Control Act of 1985.

1 MISSILE PROCUREMENT, AIR FORCE

2 For an additional amount for “Missile Procurement,
3 Air Force”, \$366,001,000, to remain available until Sep-
4 tember 30, 2025, to respond to the situation in Ukraine
5 and for related expenses: *Provided*, That such amount is
6 designated by the Congress as being for an emergency re-
7 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985.

9 OTHER PROCUREMENT, AIR FORCE

10 For an additional amount for “Other Procurement,
11 Air Force”, \$2,808,678,000, to remain available until
12 September 30, 2025, to respond to the situation in
13 Ukraine and for other expenses: *Provided*, That such
14 amount is designated by the Congress as being for an
15 emergency requirement pursuant to section
16 251(b)(2)(A)(i) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 PROCUREMENT, DEFENSE-WIDE

19 For an additional amount for “Procurement, De-
20 fense-Wide”, \$5,246,780,000, to remain available until
21 September 30, 2025, to respond to the situations in Israel
22 and Ukraine and for related expenses: *Provided*, That of
23 the total amount provided under this heading in this Act,
24 \$4,000,000,000 shall be for the Secretary of Defense to
25 provide to the Government of Israel for the procurement

1 of the Iron Dome and David’s Sling defense systems to
2 counter short-range rocket threats: *Provided further*, That
3 of the total amount provided under this heading in this
4 Act, \$1,200,000,000 shall be for the Secretary of Defense
5 to provide to the Government of Israel for the procure-
6 ment of the Iron Beam defense system to counter short-
7 range rocket threats: *Provided further*, That funds in the
8 preceding provisos shall be transferred pursuant to an ex-
9 change of letters and are in addition to funds provided
10 pursuant to the U.S.-Israel Iron Dome Procurement
11 Agreement, as amended: *Provided further*, That nothing
12 under this heading in this Act shall be construed to apply
13 to amounts made available in prior appropriations Acts
14 for the procurement of the Iron Dome and David’s Sling
15 defense systems or for the procurement of the Iron Beam
16 defense system: *Provided further*, That of the total amount
17 provided under this heading in this Act, \$46,780,000 shall
18 be to respond to the situation in Ukraine and for related
19 expenses: *Provided further*, That such amount is des-
20 ignated by the Congress as being for an emergency re-
21 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985.

23 DEFENSE PRODUCTION ACT PURCHASES

24 For an additional amount for “Defense Production
25 Act Purchases”, \$331,200,000, to remain available until

1 September 30, 2025, for activities by the Department of
2 Defense pursuant to sections 108, 301, 302, and 303 of
3 the Defense Production Act of 1950 (50 U.S.C. 4518,
4 4531, 4532, and 4533): *Provided*, That such amounts
5 shall be obligated and expended by the Secretary of De-
6 fense as if delegated the necessary authorities conferred
7 by the Defense Production Act of 1950: *Provided further*,
8 That such amount is designated by the Congress as being
9 for an emergency requirement pursuant to section
10 251(b)(2)(A)(i) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 RESEARCH, DEVELOPMENT, TEST AND
13 EVALUATION
14 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
15 ARMY

16 For an additional amount for “Research, Develop-
17 ment, Test and Evaluation, Army”, \$18,594,000, to re-
18 main available until September 30, 2025, to respond to
19 the situation in Ukraine and for related expenses: *Pro-*
20 *vided*, That such amount is designated by the Congress
21 as being for an emergency requirement pursuant to sec-
22 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
23 gency Deficit Control Act of 1985.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 NAVY

3 For an additional amount for “Research, Develop-
4 ment, Test and Evaluation, Navy”, \$20,825,000, to re-
5 main available until September 30, 2025, to respond to
6 the situation in Ukraine, to support improvements to the
7 submarine industrial base, and for related expenses: *Pro-*
8 *vided*, That of the total amount provided under this head-
9 ing in this Act, \$13,825,000 shall be to respond to the
10 situation in Ukraine and for related expenses: *Provided*
11 *further*, That of the total amount provided under this
12 heading in this Act, \$7,000,000 shall be to support im-
13 provements to the submarine industrial base and for re-
14 lated expenses: *Provided further*, That such amount is des-
15 ignated by the Congress as being for an emergency re-
16 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
17 anced Budget and Emergency Deficit Control Act of 1985.

18 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
19 AIR FORCE

20 For an additional amount for “Research, Develop-
21 ment, Test and Evaluation, Air Force”, \$406,834,000, to
22 remain available until September 30, 2025, to respond to
23 the situation in Ukraine and for related expenses: *Pro-*
24 *vided*, That such amount is designated by the Congress
25 as being for an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
4 DEFENSE-WIDE

5 For an additional amount for “Research, Develop-
6 ment, Test and Evaluation, Defense-Wide”,
7 \$194,125,000, to remain available until September 30,
8 2025, to respond to the situation in Ukraine and for re-
9 lated expenses: *Provided*, That such amount is 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 OTHER DEPARTMENT OF DEFENSE PROGRAMS
14 OFFICE OF THE INSPECTOR GENERAL

15 For an additional amount for “Office of the Inspector
16 General”, \$8,000,000, to remain available until September
17 30, 2025, which shall be for operation and maintenance
18 of the Office of the Inspector General, including the Spe-
19 cial Inspector General for Operation Atlantic Resolve, to
20 carry out reviews of the activities of the Department of
21 Defense to execute funds appropriated in this Act, includ-
22 ing assistance provided to Ukraine: *Provided*, That the In-
23 spector General of the Department of Defense shall pro-
24 vide to the congressional defense committees a briefing not
25 later than 90 days after the date of enactment of this Act:

1 *Provided further*, That such amount is designated by the
2 Congress as being for an emergency requirement pursuant
3 to section 251(b)(2)(A)(i) of the Balanced Budget and
4 Emergency Deficit Control Act of 1985.

5 RELATED AGENCIES

6 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

7 For an additional amount for “Intelligence Commu-
8 nity Management Account”, \$2,000,000, to remain avail-
9 able until September 30, 2025, to respond to the situation
10 in Ukraine and for related expenses: *Provided*, That such
11 amount is designated by the Congress as being for an
12 emergency requirement pursuant to section
13 251(b)(2)(A)(i) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 GENERAL PROVISIONS—THIS TITLE

16 (INCLUDING TRANSFERS OF FUNDS)

17 SEC. 101. (a) Upon the determination of the Sec-
18 retary of Defense that such action is necessary in the na-
19 tional interest, the Secretary may, with the approval of
20 the Director of the Office of Management and Budget,
21 transfer up to \$1,000,000,000 only between the appro-
22 priations or funds made available in this title to the De-
23 partment of Defense to respond to the situation in
24 Ukraine and for related expenses: *Provided*, That the Sec-
25 retary shall notify the Congress promptly of each transfer

1 made pursuant to the authority in this subsection: *Pro-*
2 *vided further*, That such authority is in addition to any
3 transfer authority otherwise provided by law and is subject
4 to the same terms and conditions as the authority pro-
5 vided in section 8005 of the Department of Defense Ap-
6 propriations Act, 2023, or any similar provision in any
7 subsequent Act making appropriations for the Department
8 of Defense for Fiscal Year 2024, except for monetary limi-
9 tations concerning the amount of authority available.

10 (b) Upon the determination by the Director of Na-
11 tional Intelligence that such action is necessary in the na-
12 tional interest, the Director may, with the approval of the
13 Director of the Office of Management and Budget, trans-
14 fer up to \$250,000,000 only between the appropriations
15 or funds made available in this title for the National Intel-
16 ligence Program: *Provided*, That the Director of National
17 Intelligence shall notify the Congress promptly of all
18 transfers made pursuant to the authority in this sub-
19 section: *Provided further*, That such authority is in addi-
20 tion to any transfer authority otherwise provided by law
21 and is subject to the same terms and conditions as the
22 authority provided in section 8093 of the Department of
23 Defense Appropriations Act, 2023, or any similar provi-
24 sion in any subsequent Act making appropriations for the
25 Department of Defense for Fiscal Year 2024, except for

1 monetary limitations concerning the amount of authority
2 available.

3 SEC. 102. Not later than 60 days after the date of
4 enactment of this Act, the Secretary of Defense, in coordi-
5 nation with the Secretary of State, shall submit a report
6 to the Committees on Appropriations, Armed Services,
7 and Foreign Affairs of the House of Representatives and
8 the Committees on Appropriations, Armed Services, and
9 Foreign Relations of the Senate on measures being taken
10 to account for United States defense articles designated
11 for Ukraine since the February 24, 2022, Russian inva-
12 sion of Ukraine, particularly measures with regard to such
13 articles that require enhanced end-use monitoring; meas-
14 ures to ensure that such articles reach their intended re-
15 cipients and are used for their intended purposes; and any
16 other measures to promote accountability for the use of
17 such articles: *Provided*, That such report shall include a
18 description of any occurrences of articles not reaching
19 their intended recipients or used for their intended pur-
20 poses and a description of any remedies taken: *Provided*
21 *further*, That such report shall be submitted in unclassified
22 form, but may be accompanied by a classified annex.

23 SEC. 103. Not later than 30 days after the date of
24 enactment of this Act, and every 30 days thereafter
25 through fiscal year 2025, the Secretary of Defense, in co-

1 ordination with the Secretary of State, shall provide a
2 written report to the Committees on Appropriations,
3 Armed Services, and Foreign Affairs of the House of Rep-
4 resentatives and the Committees on Appropriations,
5 Armed Services, and Foreign Relations of the Senate de-
6 scribing United States security assistance provided to
7 Ukraine since the February 24, 2022, Russian invasion
8 of Ukraine, including a comprehensive list of the defense
9 articles and services provided to Ukraine and the associ-
10 ated authority and funding used to provide such articles
11 and services: *Provided*, That such report shall be sub-
12 mitted in unclassified form, but may be accompanied by
13 a classified annex.

14 SEC. 104. For an additional amount for the Depart-
15 ment of Defense, \$2,440,000,000, to remain available
16 until September 30, 2025, for transfer to military per-
17 sonnel accounts, operation and maintenance accounts,
18 procurement accounts, research, development, test and
19 evaluation accounts, and the Defense Working Capital
20 Funds, in addition to amounts otherwise made available
21 for such purpose, only for U.S. operations, force protec-
22 tion, deterrence, and the replacement of combat expendi-
23 tures in the United States Central Command region: *Pro-*
24 *vided*, That none of the funds provided under this section
25 may be obligated or expended until 30 days after the Sec-

1 retary of Defense provides to the congressional defense
2 committees an execution plan: *Provided further*, That not
3 less than 15 days prior to any transfer of funds, the Sec-
4 retary of Defense shall notify the congressional defense
5 committees of the details of any such transfer: *Provided*
6 *further*, That upon transfer, the funds shall be merged
7 with and available for the same purposes, and for the same
8 time period, as the appropriation to which transferred:
9 *Provided further*, That any transfer authority provided
10 herein is in addition to any other transfer authority pro-
11 vided by law: *Provided further*, That such amount is des-
12 ignated by the Congress as being for an emergency re-
13 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
14 anced Budget and Emergency Deficit Control Act of 1985.

15 SEC. 105. For an additional amount for the Depart-
16 ment of Defense, \$542,400,000, to remain available until
17 September 30, 2025, for transfer to operation and mainte-
18 nance accounts, procurement accounts, and research, de-
19 velopment, test and evaluation accounts, in addition to
20 amounts otherwise made available for such purpose, only
21 for unfunded priorities of the United States Indo-Pacific
22 Command for fiscal year 2024 (as submitted to Congress
23 pursuant to section 1105 of title 31, United States Code):
24 *Provided*, That none of the funds provided under this sec-
25 tion may be obligated or expended until 30 days after the

1 Secretary of Defense, through the Under Secretary of De-
2 fense (Comptroller), provides the Committees on Appro-
3 priations of the House of Representatives and the Senate
4 a detailed execution plan for such funds: *Provided further,*
5 That not less than 15 days prior to any transfer of funds,
6 the Secretary of Defense shall notify the congressional de-
7 fense committees of the details of any such transfer: *Pro-*
8 *vided further,* That upon transfer, the funds shall be
9 merged with and available for the same purposes, and for
10 the same time period, as the appropriation to which trans-
11 ferred: *Provided further,* That any transfer authority pro-
12 vided herein is in addition to any other transfer authority
13 provided by law: *Provided further,* That such amount is
14 designated by the Congress as being for an emergency re-
15 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985.

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