Making emergency supplemental appropriations to respond to the attacks in Israel for the fiscal year ending September 30, 2024, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

November 1, 2023

Ms. GRANGER (for herself, Mr. CALVERT, Mr. DIAZ-BALART, Mr. SCALISE, Mr. EMMER, Ms. STEFANIK, Ms. TENNEY, Mr. RESCHENTHALER, Mr. CISCOMANI, Mr. ROUZER, Mr. MOOLENAAR, Mr. LANGWORTHY, Mr. OGLES, Ms. VAN DUYNE, Mr. KEAN of New Jersey, Mr. GOODEN of Texas, Mr. LAMBORN, Mr. MCCINTOCK, Mr. BURGESS, Mr. ADERIHOLT, Mr. CARTER of Texas, Mr. SESSIONS, Mr. JACKSON of Texas, Mr. ELIZEY, Mr. MIKE GARCIA of California, Mr. WOMACK, Mr. NEWHOUSE, Mr. JOYCE of Ohio, Ms. DE LA CRUZ, Mr. MORAN, Mr. SCOTT FRANKLIN of Florida, Mr. HUDSON, Mr. CARL, Mr. DONALDS, Mr. LATURNER, Ms. LETLOW, Mrs. MILLER-MEEKS, Mr. CLYDE, Mrs. HOUCHIN, Mrs. HINSON, Mr. HARRIS, Mr. ISSA, Mr. JOHNSON of South Dakota, Mr. CRENSHAW, Mr. D’ESPOSTO, Mr. HUNT, Mr. TONY GONZALES of Texas, Mr. AMODEI, Mr. FRY, Mr. WILSON of South Carolina, Mr. LAMALFA, Mrs. CAMMACK, Mr. ZINKE, Ms. SALAZAR, Mr. NUNN of Iowa, Mr. KUSTOFF, Mr. TIMMONS, Mr. FLEISCHMANN, Mr. THOMPSON of Pennsylvania, Mr. WILLIAMS of New York, Ms. MALLIOTAKIS, Mr. COLE, Mr. BURCHETT, Mr. YAKYM, Mr. SIMPSON, Mr. BUCHANAN, Mr. VAN DREW, Mr. WESTERMAN, Mr. AUSTIN SCOTT of Georgia, Mr. ALFORD, Mr. SMITH of Nebraska, Mr. FEENSTRA, Mr. ROGERS of Kentucky, Mr. VALADAO, Mr. SELF, Mr. MOONEY, Mr. GUEST, Mrs. CHAVEZ-DeRemer, Mr. BACON, Mr. FERGUSON, Mrs. RODGERS of Washington, Mr. BALDERSON, Mr. RUTHERFORD, Mrs. GONZÁLEZ-COLÓN, Mrs. STEEL, Mr. EDWARDS, Mr. WALTZ, Mr. BEAN of Florida, Mr. CAREY, Mr. GUTHRIE, Mrs. MCCLAIN, Mr. DUNN of Florida, Mr. ROSE, Mr. SMITH of New Jersey, Mr. Garbarino, Mr. PENCE, Mr. FLOOD, Mr. LUTTRELL, Mr. WEBER of Texas, Mr. KELLY of Pennsylvania, and Mr. GREEN of Tennessee) introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committees on the Budget, and Ways and Means, 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 respond to the attacks in Israel for the fiscal year ending September 30, 2024, and for other purposes.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,
That the following sums are appropriated, out of any
money in the Treasury not otherwise appropriated, for the
fiscal year ending September 30, 2024, and for other pur-
poses, namely:

TITLE I

DEPARTMENT OF DEFENSE

OPERATION AND MAINTENANCE

Operation and Maintenance, Defense-Wide

(including transfer of funds)

For an additional amount for “Operation and Main-
tenance, Defense-Wide”, $4,400,000,000, to remain avail-
able until September 30, 2025, to respond to the attacks
in Israel: Provided, That such amounts may be transferred
to accounts under the headings “Operation and Mainte-
nance” and “Procurement” for replacement of defense ar-
ticles from the stocks of the Department of Defense, and
for reimbursement for defense services of the Department
of Defense and military education and training, provided
to Israel or identified and notified to Congress for provi-
sion to Israel: *Provided further,* That funds transferred pursuant to the previous proviso shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further,* That the Secretary of Defense shall notify the congressional defense committees of the details of such transfers not less than 15 days before any such transfer: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided under this heading, such amounts may be transferred back and merged with this appropriation: *Provided further,* That any transfer authority provided under this heading is in addition to any other transfer authority provided by law: *Provided further,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

**PROCUREMENT**

**PROCUREMENT OF AMMUNITION, ARMY**

For an additional amount for “Procurement of Ammunition, Army”, $801,400,000, to remain available until September 30, 2026, to respond to the attacks in Israel: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section

WEAPONS PROCUREMENT, NAVY

For an additional amount for “Weapons Procurement, Navy”, $10,000,000, to remain available until September 30, 2026, to respond to the attacks in Israel: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for “Missile Procurement, Air Force”, $38,600,000, to remain available until September 30, 2026, to respond to the attacks in Israel: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, $4,000,000,000, to remain available until September 30, 2026, for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome and David’s Sling defense systems to counter short-range rocket threats: Provided, That such
funds shall be transferred pursuant to an exchange of let-
ters and are in addition to funds provided pursuant to the
U.S.-Israel Iron Dome Procurement Agreement, as
amended: Provided further, That nothing under this head-
ing shall be construed to apply to amounts made available
in prior appropriations Acts for the procurement of the
Iron Dome and David’s Sling defense systems: Provided
further, That such amount is designated by the Congress
as an emergency requirement pursuant to section
251(b)(2)(A)(i) of the Balanced Budget and Emergency
Deficit Control Act of 1985, as amended.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION

Research, Development, Test and Evaluation,
Defense-Wide

(including transfers of funds)

For an additional amount for “Research, Develop-
ment, Test and Evaluation, Defense-Wide”,
$1,350,000,000, to remain available until September 30,
2025, to respond to the attacks in Israel, of which
$1,200,000,000 shall be for the Secretary of Defense to
provide to the Government of Israel for the development
of the Iron Beam defense system to counter short-range
rocket threats: Provided, That such funds shall be trans-
ferred pursuant to an exchange of letters: Provided fur-
ther, That nothing in the preceding proviso shall be con-
strued to apply to amounts made available in prior appro-
priations Acts for the development of the Iron Beam de-
fense system: Provided further, That such amounts may
be transferred to “Procurement, Defense-Wide” for the
production of such system: Provided further, That the Sec-
retary of Defense shall notify the congressional defense
committees of the details of such transfers not less than
15 days before any such transfer: Provided further, That
upon a determination that all or part of the funds trans-
ferred from this appropriation are not necessary for the
purposes provided under this heading, such amounts may
be transferred back and merged with this appropriation:
Provided further, That any transfer authority provided
under this heading is in addition to any other transfer au-
thority provided by law: Provided further, That such
amount is designated by the Congress as an emergency
requirement pursuant to section 251(b)(2)(A)(i) of the
Balanced Budget and Emergency Deficit Control Act of
1985, as amended.

GENERAL PROVISIONS—THIS TITLE

Sec. 101. Section 12001 of the Department of De-
fense Appropriations Act, 2005 (Public Law 108–287), as
amended by Public Law 115–141, is amended as follows:
(1) In paragraph (2) of subsection (a), by striking “armor” and all that follows through the end of the paragraph and inserting “defense articles that are in the inventory of the Department of Defense as of the date of transfer, are intended for use as reserve stocks for Israel, and are located in a stockpile for Israel as of the date of transfer”;

(2) In subsection (b), by striking “at least equal to the fair market value of the items transferred” and inserting “in an amount to be determined by the Secretary of Defense”; and

(3) In subsection (c), by striking “30” and inserting “15”, and by inserting “Appropriations,” after “Committees on” in both places it occurs.

Sec. 102. During fiscal year 2024, section 514(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)) shall not apply to defense articles to be set aside, earmarked, reserved, or intended for use as reserve stocks in stockpiles in the State of Israel.

Sec. 103. Not later than 30 days after the date of enactment of this Act, and every 30 days thereafter through fiscal year 2025, the Secretary of Defense, in coordination with the Secretary of State, shall provide a written report to the Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Rep-
resentatives and the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate de-
scribing United States security assistance provided to
Israel since the October 7, 2023, terrorist attack on Israel,
including a comprehensive list of the defense articles and
services provided to Israel and the associated authority
and funding used to provide such articles and services:
Provided, That such report shall be submitted in unclassi-
fied form, but may be accompanied by a classified annex.

Sec. 104. Concurrent with any notification of assist-
ance made pursuant to section 506(b)(1) of the Foreign
Assistance Act of 1961 (22 U.S.C. 2318(b)(1)), the Sec-
retary of Defense shall submit a written notification to
the congressional defense committees that contains a de-
scription of the defense articles and defense services to
be furnished, including the quantity, approximate value,
and an estimate of the cost to replace such article or an
equivalent capability; and a timeline for the delivery of
such defense articles and defense services.
TITLE II
DEPARTMENT OF STATE AND RELATED AGENCY
DEPARTMENT OF STATE
ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC PROGRAMS

For an additional amount for “Diplomatic Programs”, $150,000,000, to remain available until September 30, 2025, for responding to the attacks in Israel and areas impacted by the attacks in Israel, including for crisis response and relocation support for Mission Israel, of which $100,000,000 shall be available until expended for Worldwide Security Protection to sustain requirements for Mission Israel and other United States missions affected by the attacks in Israel: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for “Emergencies in the Diplomatic and Consular Service”, $50,000,000, to remain available until September 30, 2025, for emergency evacuation of United States Government personnel and
citizens in Israel and in countries in the region impacted by the attacks in Israel: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INTERNATIONAL SECURITY ASSISTANCE

Funds Appropriated to the President

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for “Foreign Military Financing Program”, $3,500,000,000, to remain available until September 30, 2025, to respond to the attacks in Israel: Provided, That funds made available under this heading in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for fiscal year 2024, in addition to funds otherwise available for such purposes, may be used by the Department of State for necessary expenses for the general costs of administering military assistance and sales, including management and oversight of such programs and activities: Provided further, That, to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which up
to $3,500,000,000 may be available for the procurement in Israel of defense articles and defense services: Provided further, That any congressional notification requirement applicable to funds made available under this heading for Israel may be waived if a determination is made that extraordinary circumstances exist that impact the national security of the United States: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS TITLE

Sec. 201. (a) During fiscal year 2024, and subject to subsection (b), section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) shall be applied by substituting “$2,500,000,000” for “$100,000,000”.

(b) Subsection (a) shall not take effect unless the Secretary of State determines and reports to the appropriate congressional committees that the exercise of the authority of such subsection is necessary to respond to the situation in Israel.

Sec. 202. Not later than 30 days after the date of enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report on the proposed uses of funds appropriated by this title to respond
to the situation in Israel: *Provided*, That such report shall be updated and submitted to such Committees every 60 days thereafter until September 30, 2025, and every 180 days thereafter until all funds have been expended, and shall include information detailing how estimates and assumptions contained in previous reports have changed, including obligations and expenditures.

**TITLE III**

**GENERAL PROVISIONS—THIS ACT**

**SEC. 301.** Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

**SEC. 302.** No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

**SEC. 303.** Unless otherwise provided for by this Act, the additional amounts appropriated by this Act to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2024.

**SEC. 304.** Each amount designated in this Act by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, shall be available (or rescinded or transferred, if applicable) only
if the President subsequently so designates all such
amounts and transmits such designations to the Congress.

Sec. 305. Any amount appropriated by this Act, des-
ignated by the Congress as an emergency requirement
pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
et and Emergency Deficit Control Act of 1985, as amend-
ed, and subsequently so designated by the President, and
transferred pursuant to transfer authorities provided by
this Act shall retain such designation.

BUDGETARY OFFSETS

Sec. 306. (a) Rescission of Certain Balances
Made Available to the Internal Revenue Serv-
ice.—Of the unobligated balances of amounts appro-
priated or otherwise made available for activities of the
Internal Revenue Service by paragraphs (1)(A)(ii),
(1)(A)(iii), (1)(B), (2), (3), (4), and (5) of section 10301
of Public Law 117–169 (commonly known as the “Infla-
tion Reduction Act of 2022”) as of the date of the enact-
ment of this Act, $14,300,000,000 are hereby rescinded.

(b) Classification of Budgetary Effects.—
Notwithstanding Rule 3 of the Budget Scorekeeping
Guidelines set forth in the joint explanatory statement of
the committee of conference accompanying Conference Re-
port 105–217 and section 250(c)(8) of the Balanced
Budget and Emergency Deficit Control Act of 1985, the
budgetary effects of this section shall not be estimated—
(1) for purposes of section 251 of such act;

(2) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(3) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

This Act may be cited as the “Israel Security Supplemental Appropriations Act, 2024”.

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