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”.

SEC. 2. EXPIRATION OF AUTHORITIES AND APPROPRIATIONS.

Authorities provided by this Act and any amounts authorized or otherwise made available under this Act may not be exercised after the date that is 1 year after the date of enactment of this Act.

DIVISION A—DEFENDING BORDERS

SEC. 101. TEMPORARY EXPULSION OF INADMISSIBLE ARRIVING ALIENS.

(a) IN GENERAL.—Notwithstanding any other provision of law, during the period beginning on the date of the enactment of this Act and ending on the date that is 1 year following the date of enactment of this Act, an immigration officer who determines that an alien who is arriving in the United States at or along the border between the United States and Mexico is inadmissible under section paragraph (6)(C) or (7) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)), shall, subject to sections 102 and 103, process the alien for expulsion from the United States without further hearing or review.

(b) DETENTION PENDING EXPULSION.—An alien subject to expulsion under subsection (a) shall be detained pending expulsion.
SEC. 102. COUNTRIES TO WHICH AliENS MAY BE EXPELLED.

(a) In General.—Except as provided in subsection (b), an alien who is processed for expulsion pursuant to section 101(a) shall be expelled to Mexico.

(b) Alternative Countries.—If the Government of Mexico is unwilling to accept an alien subject to expulsion under section 101(a) into the territory of Mexico or if the Secretary of Homeland Security determines that expulsion to Mexico would not be in the national interest of the United States, such alien shall be expelled, as directed by the Secretary, to—

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

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

(3) the country in which such alien has a residence; or

(4) a country with a government that will accept such alien into its territory if expulsion to each country described in paragraphs (1) through (3) is impracticable, inadvisable, or impossible.

(c) Restriction on Expulsion to a Country Where an Alien Would Be Threatened With Persecution or Torture.—

(1) In General.—Notwithstanding subsections (a) and (b), and except as provided in paragraph
(2), the Secretary of Homeland Security may not expel an alien to a country if—

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

(B) there are substantial grounds for believing that such alien would be in danger of being subjected to torture if expelled to such country.

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

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

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

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

(ii) the alien, having been convicted by a final judgement of a particularly serious
crime, is a danger to the citizens of the United States;

(iii) there are serious reasons to believe that the alien committed a serious nonpolitical crime outside the United States before the alien arrived in the United States; or

(iv) there are reasonable grounds to believe that the alien is a danger to the national security of the United States.

(3) DETERMINATIONS.—

(A) PARTICULARLY SERIOUS CRIME.—For purposes of paragraph (2)(B)(ii), an alien who has been convicted of an aggravated felony or felonies for which the alien has been sentenced to an aggregate term of imprisonment of not less than 5 years shall be considered to have committed a particularly serious crime. Notwithstanding the previous sentence, the Secretary of Homeland Security may determine that an alien sentenced to an aggregate term of imprisonment of less than 5 years has been convicted of a particularly serious crime.

(B) DANGER TO NATIONAL SECURITY.—For purposes of paragraph (2)(B)(iv), an alien
who is described in section 237(a)(4)(B) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(4)(B)) shall be considered to be an alien with respect to whom there are reasonable grounds for regarding as a danger to the national security of the United States.

(4) Referral to asylum officer.—

(A) Referral.—If an alien expresses to an immigration officer a fear that such alien’s life or freedom would be threatened in the country to which such alien will be expelled or that the alien would be in danger of being subjected to torture in such country, the immigration officer shall refer the alien for an interview by an asylum officer employed in the Refugee, Asylum and International Operations Directorate of U.S. Citizenship and Immigration Services for a determination pursuant to paragraphs (1) and (2).

(B) Burden of proof; credibility.—In determining whether an alien has demonstrated that such alien’s life or freedom would be threatened for a reason described in paragraph (1)(A) or whether the alien would be subjected
to torture described in subparagraph (1)(B),
the asylum officer shall—

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

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

SEC. 103. WAIVER AUTHORITY.

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

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

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

(b) Strategy.—At the time of a determination
under subsection (a), the Director shall develop a strategy
to safely and humanely identify eligible individuals in the United States, giving priority to individuals who—

(1) have a disability or an acute medical condition;

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

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

(c) Exception.—An immigration officer, after approval from the Commissioner of U.S. Customs and Border Protection, may, on a case-by-case basis, except an alien from expulsion based on the totality of the circumstances, including consideration of significant law enforcement officer, public safety, humanitarian, and public health interests. An alien who has been excepted from expulsion under this subsection shall be processed in accordance with the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

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

(a) Authority To Suspend Entry of Aliens at Borders of the United States.—Notwithstanding any other provision of law, if the Secretary of Homeland Security determines, in his discretion, that the suspension of the entry of covered aliens at an international land or
maritime border of the United States is necessary in order to achieve operational control over such border, the Secretary may prohibit, in whole or in part, the entry of covered aliens at such border for such period of time as the Secretary determines is necessary for such purpose.

(b) DEFINITIONS.—In this section:

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

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

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

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

No Federal funds may be used to transfer or otherwise move an alien in the custody of the Federal Government from a facility in which such alien was first detained to another location for a purpose other than adjudicating such alien’s status.
SEC. 106. TREATMENT OF ALIENS ARRIVING FROM CONTIGUOUS TERRITORY.

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

DIVISION B—DEFENDING DEMOCRACIES

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 purposes, namely:

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, $207,158,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, $3,538,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, $23,302,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, SPACE FORCE

For an additional amount for “Military Personnel, Space Force”, $4,192,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, $4,887,581,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, $1,534,163,000, to remain available until September 30, 2025, to respond to the situation in Ukraine, to support improvements to the submarine industrial base, and for related expenses: Provided, That of the total amount provided under this heading in this Act, $976,405,000 shall be to respond to the situation in Ukraine and for related expenses: Provided further, That of the total amount provided under this heading in this Act, $557,758,000 shall be to support improvements to the submarine industrial base and for related expenses: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, $69,045,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section

**Operation and Maintenance, Air Force**

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

**Operation and Maintenance, Space Force**

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

**Operation and Maintenance, Defense-Wide**

(including transfers of funds)

For an additional amount for “Operation and Maintenance, Defense-Wide”, $34,230,780,000, to remain available until September 30, 2025, to respond to the situ-
ations in Israel, Ukraine, and Taiwan and for related ex-

penses: Provided, That of the total amount provided under
this heading in this Act, $13,772,460,000 shall be for the
Ukraine Security Assistance Initiative: Provided further,
That such funds for the Ukraine Security Assistance Ini-
tiative shall be available to the Secretary of Defense under
the same terms and conditions as are provided for under
this heading in the Additional Ukraine Supplemental Ap-
propriations Act, 2023 (division M of Public Law 117–
328), and shall be available notwithstanding section 8135
of the Department of Defense Appropriations Act, 2023
(division C of Public Law 117–328) or any similar provi-
sion in any other Act making appropriations for the De-
partment of Defense: Provided further, That of the total
amount provided under this heading in this Act, up to
$4,400,000,000, to remain available until September 30,
2025, may be transferred to accounts under the headings
“Operation and Maintenance”, “Procurement”, and “Re-
volving and Management Funds” for replacement,
through new procurement or repair of existing unservice-
able equipment, of defense articles from the stocks of the
Department of Defense, and for reimbursement for de-
fense services of the Department of Defense and military
education and training, provided to or identified for provi-
sion to the Government of Israel or to foreign countries
that have provided support to Israel at the request of the United
States: Provided further, That up to $13,414,432,000, to remain available until September 30, 2025, may be transferred to accounts under the headings “Operation and Maintenance”, “Procurement”, and “Revolving and Management Funds” for replacement, through new procurement or repair of existing unserviceable equipment, of defense articles 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 or identified for provision to the Government of Ukraine or to foreign countries that have provided support to Ukraine at the request of the United States: Provided further, That up to $1,900,000,000, to remain available until September 30, 2025, may be transferred to accounts under the headings “Operation and Maintenance”, “Procurement”, and “Revolving and Management Funds” for replacement, through new procurement or repair of existing unserviceable equipment, of defense articles 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 or identified for provision to the Government of Taiwan or to foreign countries that have provided support to Taiwan at the request of
the United States: Provided further, That funds transferred pursuant to the preceding three provisos 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 herein, such amounts may be transferred back and merged with this appropriation: Provided further, That any transfer authority provided herein is in addition to any other transfer authority provided by law: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

MISSILE PROCUREMENT, ARMY

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

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", $6,414,300,000, to remain available until September 30, 2025, to respond to the situations in Israel and Ukraine and for related expenses: Provided, That of the total amount provided under this heading in this Act, $801,400,000 shall be to respond to the situation in Israel and for related expenses: Provided further, That of the total amount provided under this heading in this Act, $5,612,900,000 shall be to respond to the situation in Ukraine and for related expenses: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", $308,991,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
WEAPONS PROCUREMENT, NAVY

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

SHIPBUILDING AND CONVERSION, NAVY

For an additional amount for “Shipbuilding and Conversion, Navy”, $2,155,000,000, to remain available until September 30, 2025, to support improvements to the submarine industrial base and for related expenses: Provided, That of the total amount provided under this heading in this Act, funds shall be available as follows:

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

Virginia Class Submarine (AP), $200,000,000: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
For an additional amount for “Other Procurement, Navy”, $319,570,000, to remain available until September 30, 2025, to respond to the situation in Ukraine, to support improvements to the submarine industrial base, and for related expenses: Provided, That of the total amount provided under this heading in this Act, $26,000,000 shall be to respond to the situation in Ukraine and for related expenses: Provided further, That of the total amount provided under this heading in this Act, $293,570,000 shall be to support improvements to the submarine industrial base and for related expenses: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for “Procurement, Marine Corps”, $212,443,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
MISSILE PROCUREMENT, AIR FORCE

For an additional amount for “Missile Procurement, Air Force”, $366,001,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

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

PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, $5,246,780,000, to remain available until September 30, 2025, to respond to the situations in Israel and Ukraine and for related expenses: Provided, That of the total amount provided under this heading in this Act, $4,000,000,000 shall be 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 further*, That of the total amount provided under this heading in this Act, $1,200,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Beam defense system to counter short-range rocket threats: *Provided further*, That funds in the preceding provisos shall be transferred pursuant to an exchange of letters 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 heading in this Act 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 or for the procurement of the Iron Beam defense system: *Provided further*, That of the total amount provided under this heading in this Act, $46,780,000 shall be to respond to the situation in Ukraine and for related expenses: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**Defense Production Act Purchases**

For an additional amount for “Defense Production Act Purchases”, $331,200,000, to remain available until
September 30, 2025, for activities by the Department of
Defense pursuant to sections 108, 301, 302, and 303 of
the Defense Production Act of 1950 (50 U.S.C. 4518,
4531, 4532, and 4533): Provided, That such amounts
shall be obligated and expended by the Secretary of De-
defense as if delegated the necessary authorities conferred
by the Defense Production Act of 1950: Provided further,
That such amount is designated by the Congress as being
for an emergency requirement pursuant to section
251(b)(2)(A)(i) of the Balanced Budget and Emergency

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

ARMY

For an additional amount for “Research, Develop-
ment, Test and Evaluation, Army”, $18,594,000, to re-
main available until September 30, 2025, to respond to
the situation in Ukraine and for related expenses: Pro-
vided, That such amount is designated by the Congress
as being for an emergency requirement pursuant to sec-
tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
For an additional amount for “Research, Development, Test and Evaluation, Navy”, $20,825,000, to remain available until September 30, 2025, to respond to the situation in Ukraine, to support improvements to the submarine industrial base, and for related expenses: Provided, That of the total amount provided under this heading in this Act, $13,825,000 shall be to respond to the situation in Ukraine and for related expenses: Provided further, That of the total amount provided under this heading in this Act, $7,000,000 shall be to support improvements to the submarine industrial base and for related expenses: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, $406,834,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to sec-

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RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, $194,125,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for “Office of the Inspector General”, $8,000,000, to remain available until September 30, 2025, which shall be for operation and maintenance of the Office of the Inspector General, including the Special Inspector General for Operation Atlantic Resolve, to carry out reviews of the activities of the Department of Defense to execute funds appropriated in this Act, including assistance provided to Ukraine: Provided, That the Inspector General of the Department of Defense shall provide to the congressional defense committees a briefing not later than 90 days after the date of enactment of this Act:
Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for “Intelligence Community Management Account”, $2,000,000, to remain available until September 30, 2025, to respond to the situation in Ukraine and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

(INCLUDING TRANSFERS OF FUNDS)

Sec. 101. (a) Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Director of the Office of Management and Budget, transfer up to $1,000,000,000 only between the appropriations or funds made available in this title to the Department of Defense to respond to the situation in Ukraine and for related expenses: Provided, That the Secretary shall notify the Congress promptly of each transfer
made pursuant to the authority in this subsection: Provided further, That such authority is in addition to any transfer authority otherwise provided by law and is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2023, or any similar provision in any subsequent Act making appropriations for the Department of Defense for Fiscal Year 2024, except for monetary limitations concerning the amount of authority available.

(b) Upon the determination by the Director of National Intelligence that such action is necessary in the national interest, the Director may, with the approval of the Director of the Office of Management and Budget, transfer up to $250,000,000 only between the appropriations or funds made available in this title for the National Intelligence Program: Provided, That the Director of National Intelligence shall notify the Congress promptly of all transfers made pursuant to the authority in this subsection: Provided further, That such authority is in addition to any transfer authority otherwise provided by law and is subject to the same terms and conditions as the authority provided in section 8093 of the Department of Defense Appropriations Act, 2023, or any similar provision in any subsequent Act making appropriations for the Department of Defense for Fiscal Year 2024, except for
monetary limitations concerning the amount of authority available.

Section 102. Not later than 60 days after the date of enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit a report to the Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives and the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate on measures being taken to account for United States defense articles designated for Ukraine since the February 24, 2022, Russian invasion of Ukraine, particularly measures with regard to such articles that require enhanced end-use monitoring; measures to ensure that such articles reach their intended recipients and are used for their intended purposes; and any other measures to promote accountability for the use of such articles: Provided, That such report shall include a description of any occurrences of articles not reaching their intended recipients or used for their intended purposes and a description of any remedies taken: Provided further, That such report shall be submitted in unclassified form, but may be accompanied by a classified annex.

Section 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 co-
ordination with the Secretary of State, shall provide a written report to the Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives and the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate describing United States security assistance provided to Ukraine since the February 24, 2022, Russian invasion of Ukraine, including a comprehensive list of the defense articles and services provided to Ukraine and the associated authority and funding used to provide such articles and services: Provided, That such report shall be submitted in unclassified form, but may be accompanied by a classified annex.

Sec. 104. For an additional amount for the Department of Defense, $2,440,000,000, to remain available until September 30, 2025, for transfer to military personnel accounts, operation and maintenance accounts, procurement accounts, research, development, test and evaluation accounts, and the Defense Working Capital Funds, in addition to amounts otherwise made available for such purpose, only for U.S. operations, force protection, deterrence, and the replacement of combat expenditures in the United States Central Command region: Provided, That none of the funds provided under this section may be obligated or expended until 30 days after the Sec-
Secretary of Defense provides to the congressional defense committees an execution plan: Provided further, That not less than 15 days prior to any transfer of funds, the Secretary of Defense shall notify the congressional defense committees of the details of any such transfer: Provided further, That upon transfer, the funds shall be merged with and available for the same purposes, and for the same time period, as the appropriation to which transferred: Provided further, That any transfer authority provided herein is in addition to any other transfer authority provided by law: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 105. For an additional amount for the Department of Defense, $542,400,000, to remain available until September 30, 2025, for transfer to operation and maintenance accounts, procurement accounts, and research, development, test and evaluation accounts, in addition to amounts otherwise made available for such purpose, only for unfunded priorities of the United States Indo-Pacific Command for fiscal year 2024 (as submitted to Congress pursuant to section 1105 of title 31, United States Code): Provided, That none of the funds provided under this section may be obligated or expended until 30 days after the
Secretary of Defense, through the Under Secretary of Defense (Comptroller), provides the Committees on Appropriations of the House of Representatives and the Senate a detailed execution plan for such funds: Provided further, That not less than 15 days prior to any transfer of funds, the Secretary of Defense shall notify the congressional defense committees of the details of any such transfer: Provided further, That upon transfer, the funds shall be merged with and available for the same purposes, and for the same time period, as the appropriation to which transferred: Provided further, That any transfer authority provided herein is in addition to any other transfer authority provided by law: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.