H. R. 8034

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 2024

Mr. COLE (for himself, Mr. CALVERT, and Mr. DIAZ-BALART) 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 respond to the situation in Israel and for related expenses 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, 2024, and for other pur-
6 poses, namely:
TITLE I

DEPARTMENT OF DEFENSE

OPERATION AND MAINTENANCE

Operation and Maintenance, Defense-Wide

(Including Transfers of Funds)

For an additional amount for “Operation and Maintenance, Defense-Wide”, $4,400,000,000, to remain available until September 30, 2025, to respond to the situation in Israel: Provided, That the amount provided under this heading in this Act 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 the government of Israel or identified and notified to Congress for provision 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 funds transferred pursuant to the preceding 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 Sec-
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

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 situation in Israel: 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”, $5,200,000,000, to remain available until
September 30, 2026, to respond to the situation in Israel 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 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”, $198,600,000, to remain available until expended, 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 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 Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

(INCLUDING TRANSFERS OF FUNDS)

Sec. 101. For an additional amount for the Department of Defense, $2,440,000,000, to remain available until September 30, 2024, 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 expendi-
tures 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 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

TITLE II

DEPARTMENT OF HOMELAND SECURITY

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

FEDERAL EMERGENCY MANAGEMENT AGENCY

OPERATIONS AND SUPPORT

For an additional amount for “Federal Emergency Management Agency—Operations and Support”,

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$10,000,000, to remain available until September 30, 2027, for necessary expenses related to the administration of nonprofit security grants: 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.

FEDERAL ASSISTANCE

For an additional amount for “Federal Emergency Management Agency—Federal Assistance”, $390,000,000, of which $160,000,000 shall remain available until September 30, 2025, and $230,000,000 shall remain available until September 30, 2026, for Nonprofit Security Grant Program under section 2009 of the Homeland Security Act of 2002 (6 U.S.C. 609a) for eligible nonprofit organizations to prevent, prepare for, protect against, and respond to acts of terrorism or other threats: Provided, That the Administrator of the Federal Emergency Management Agency shall make programmatic adjustments as necessary to expedite the disbursement of, and provide flexibility in the use of, amounts made available under this heading in this Act: Provided further, That notwithstanding any provision of 6 U.S.C. 609a, and in addition to amounts available under 6 U.S.C. 609a(c)(2), the Administrator of the Federal Emergency Management
Agency may permit a State to use up to two percent of a grant awarded under this heading in this Act to provide outreach and technical assistance to eligible nonprofit organizations to assist them with applying for Nonprofit Security Grant Program awards under this heading in this Act: Provided further, That such outreach and technical assistance should prioritize rural and underserved communities and nonprofit organizations that are traditionally underrepresented in the Program: 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.
TITLE III
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, to respond to the situation in Israel and areas and countries impacted by the situation in Israel: Provided, That of the total amount provided under this heading in this Act, $100,000,000, to remain available until expended, shall be for Worldwide Security Protection, including to respond to the situation in Israel and areas impacted by the situation in Israel: 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.

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, $4,000,000 to remain available until September 30, 2025: Provided, That such amount is designated by the Congress as being for an emergency requirement pur-

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 expended, to meet unforeseen emergencies arising in the Diplomatic and Consular Service, as authorized: 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.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, $3,000,000, to remain available until September 30, 2025: 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.
BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for “International Disaster Assistance”, $5,655,000,000, to remain available until expended, to address humanitarian needs, including the provision of emergency food and shelter, of vulnerable populations and communities: 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.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for “Migration and Refugee Assistance”, $3,495,000,000, to remain available until expended, to address humanitarian needs of vulnerable populations and communities: 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.
INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for “International Narcotics Control and Law Enforcement”, $75,000,000, to remain available until September 30, 2025, for assistance for the Middle East, following consultation with the appropriate congressional committees, including to enhance law enforcement capabilities, counter terrorism, combat narcotics trafficking, and meet other critical partner requirements: 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.

PEACEKEEPING OPERATIONS

For an additional amount for “Peacekeeping Operations”, $10,000,000, to remain available until September 30, 2025, including for a United States contribution to the Multinational Force and Observers mission in the Sinai to enhance force protection capabilities: 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.
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, for assistance for Israel and for related expenses: Provided, 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 in this Act shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which up to $769,300,000 may be available for the procurement in Israel of defense articles and defense services: Provided further, That the limitation in the preceding proviso may be exceeded, if agreed by the United States and Israel, following consultation with the Committees on Appropriations: Provided further, That any congressional notification requirement applicable to funds made available under this heading in this Act for Israel may be waived if the Secretary of State determines that to do so is in the national security interest of the United States: Provided further, That up to $5,000,000 of funds made available under this heading in this Act, 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: \textit{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.

\textbf{GENERAL PROVISIONS—THIS TITLE} (INCLUDING TRANSFERS OF FUNDS)

\textbf{SEC. 301.} During fiscal year 2024, up to $250,000,000 of funds deposited in the Consular and Border Security Programs account in any fiscal year that are available for obligation may be transferred to, and merged with, funds appropriated by any Act making appropriations for the Department of State, foreign operations, and related programs under the headings “Diplomatic Programs” (including for Worldwide Security Protection) and “Emergencies in the Diplomatic and Consular Service” for emergency evacuations or to prevent or respond to security situations and related requirements: \textit{Provided}, That such transfer authority is in addition to any other transfer authority provided by law, and any such transfers are subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

\textbf{SEC. 302.} During fiscal year 2024, section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C.
1 2318(a)(1)) shall be applied by substituting
2 “$7,800,000,000” for “$100,000,000”.
3
4 Sec. 303. During fiscal year 2024, section
5 506(a)(2)(B) of the Foreign Assistance Act of 1961 (22
6 U.S.C. 2318(a)(2)(B)) shall be applied by substituting
7 “$400,000,000” for “$200,000,000” in the matter pre-
8 ceeding clause (i), and by substituting “$150,000,000” for
9 “$75,000,000” in clause (i).
10
11 Sec. 304. During fiscal year 2024, section 552(c)(2)
12 of the Foreign Assistance Act of 1961 (22 U.S.C.
13 2348a(c)(2)) shall be applied by substituting
14 “$50,000,000” for “$25,000,000”.
15
16 Sec. 305. Section 12001 of the Department of De-
17 fense Appropriations Act, 2005 (Public Law 108–287) is
18 amended as follows:
19
20 (1) In paragraph (2) of subsection (a), by strik-
21 ing “armor” and all that follows through the end of
22 the paragraph and inserting “defense articles that
23 are in the inventory of the Department of Defense
24 as of the date of transfer, are intended for use as
25 reserve stocks for Israel, and are located in a stock-
26 pile for Israel as of the date of transfer”.
27
28 (2) In subsection (b), by striking “at least
29 equal to the fair market value of the items trans-
ferred” and inserting “in an amount to be determined by the Secretary of Defense”.

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

SEC. 306. For 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. 307. (a) Funds appropriated by this Act under the headings “International Disaster Assistance” and “Migration and Refugee Assistance” may be transferred to, and merged with, funds appropriated by this Act under such headings.

(b) Funds appropriated by this Act under the headings “International Narcotics Control and Law Enforcement”, “Peacekeeping Operations”, and “Foreign Military Financing Program” may be transferred to, and merged with, funds appropriated by this Act under such headings.
(c) The transfer authorities provided by this section are in addition to any other transfer authority provided by law, and are subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

SEC. 308. None of the funds appropriated or otherwise made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for a contribution, grant, or other payment to the United Nations Relief and Works Agency, notwithstanding any other provision of law.

SEC. 309. (a) Certification.—The Secretary of State shall certify and report to the appropriate congressional committees not later than fifteen days after the date of enactment of this Act, that—

(1) oversight policies, processes, and procedures have been established by the Department of State and the United States Agency for International Development, as appropriate, and are in use to prevent the diversion, misuse, or destruction of assistance, including through inter-
national organizations, to Hamas and other terrorist and 

extremist entities in Gaza; and

(2) such policies, processes, and procedures have been 
developed in coordination with other bilateral and multi-
lateral donors and the Government of Israel, as appro-
priate.

(b) OVERSIGHT POLICY AND PROCEDURES.—The 

Secretary of State and the USAID Administrator shall 
submit to the appropriate congressional committees, con-
current with the submission of the certification required 
in subsection (a), a written description of the oversight 
policies, processes, and procedures for funds appropriated 
by this title that are made available for assistance for 
Gaza, including specific actions to be taken should such 
assistance be diverted, misused, or destroyed, and the role 
of Israel in the oversight of such assistance.

(c) REQUIREMENT TO INFORM.—The Secretary of 

State and USAID Administrator shall promptly inform 
the appropriate congressional committees of each instance 
in which funds appropriated by this title that are made 
available for assistance for Gaza have been diverted, mis-
used, or destroyed, to include the type of assistance, a de-
scription of the incident and parties involved, and an ex-
planation of the response of the Department of State or 
USAID, as appropriate.
(d) Third Party Monitoring.—Funds appropriated by this title shall be made available for third party monitoring of assistance for Gaza, including end use monitoring, following consultation with the appropriate congressional committees.

(e) Offices of Inspectors General.—

(1) Department of State.—Of the funds appropriated by this title under the heading “Office of Inspector General” for the Department of State, $4,000,000 shall be made available for the oversight and monitoring of assistance made available for Gaza by this title and in prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(2) United States Agency for International Development.—Of the funds appropriated by this title under the heading “Office of Inspector General” for USAID, $3,000,000 shall be made available for the oversight and monitoring of assistance made available for Gaza by this title and in prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(f) Report.—Not later than 90 days after the initial obligation of funds appropriated by this title that are made available for assistance for Gaza, and every 90 days thereafter until all such funds are expended, the Secretary
of State and the USAID Administrator shall jointly submit to the appropriate congressional committees a report detailing the amount and purpose of such assistance provided during each respective quarter, including a description of the specific entity implementing such assistance.

(g) Assessment.—Not later than 90 days after the date of enactment of this Act and every 90 days thereafter until September 30, 2025, the Secretary of State, in consultation with the Director of National Intelligence and other heads of elements of the intelligence community that the Secretary considers relevant, shall submit to the appropriate congressional committees a report assessing whether funds appropriated by this title and made available for assistance for the West Bank and Gaza have been diverted by Hamas or other terrorist and extremist entities in the West Bank and Gaza: Provided, That such report shall include details on the amount and how such funds were made available and used by such entities: Provided further, That such report may be submitted in classified form, if necessary.

(h) Consultation.—Not later than 30 days after the date of enactment of this Act but prior to the initial obligation of funds made available by this title for humanitarian assistance for Gaza, the Secretary of State and USAID Administrator, as appropriate, shall consult with
the Committees on Appropriations on the amount and antici-
pated uses of such funds.

SEC. 310. Prior to the initial obligation of funds made available in this title in this Act, but not later than 15 days after the date of enactment of this Act, the Sec-
retary of State shall submit to the Committees on Appro-
priations—

(1) spend plans, as defined in section 7034(s)(4) of the Department of State, Foreign Op-
erations, and Related Programs Appropriations Act, 2023 (division K of Public Law 117–328), at the country, account, and program level, for funds ap-
propriated by this Act under the headings “Inter-
national Narcotics Control and Law Enforcement”, “Peacekeeping Operations” and “Foreign Military Financing Program”: Provided, That plans sub-
mitted pursuant to this paragraph shall include for each program notified—(A) total funding made available for such program, by account and fiscal year; (B) funding that remains unobligated for such program from prior year base or supplemental ap-
propriations; (C) funding that is obligated but unex-
pended for such program; and (D) funding com-
mitted, but not yet notified for such program; and
(2) operating plans, as defined in section 7062 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023 (division K of Public Law 117–328), for funds appropriated by this title under the headings “Diplomatic Programs” and “Emergencies in the Diplomatic and Consular Service”.
TITLE IV

GENERAL PROVISIONS—THIS ACT

Sec. 401. Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

Sec. 402. 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. 403. 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. 404. (a) Not later than 45 days after the date of enactment of this Act, the Secretary of State, in consultation with the heads of other relevant Federal agencies, as appropriate, shall brief the appropriate congressional committees, in classified form, if necessary, on the status and welfare of hostages being held in Gaza.

(b) For purposes of this section, the term “appropriate congressional committees” means the following:

(1) The Committees on Appropriations, Armed Services, and Foreign Relations of the Senate.

(2) The Select Committee on Intelligence of the Senate.
(3) The Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives.

(4) The Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 405. Funds appropriated by this Act for foreign assistance (including foreign military sales), for the Department of State, for broadcasting subject to supervision of United States Agency for Global Media, and for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for the purposes of section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

SEC. 406. Each amount designated in this Act 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 shall be available (or repurposed or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.
SEC. 407. Any amount appropriated by this Act, 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, and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this Act shall retain such designation.

SPENDING REDUCTION ACCOUNT

SEC. 408. $0.

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

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