

118TH CONGRESS
1ST SESSION

H. R. 6018

Making supplemental appropriations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 2023

Ms. TENNEY (for herself, Mrs. MILLER of West Virginia, and Mr. KUSTOFF)
introduced the bill

OCTOBER 25, 2023

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 supplemental appropriations, 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, and
5 for other purposes, namely:

1 DEPARTMENT OF DEFENSE
2 MILITARY PROGRAMS OPERATION AND MAINTENANCE
3 OPERATION AND MAINTENANCE, DEFENSE-WIDE
4 For an additional amount for “Operation and Main-
5 tenance, Defense-Wide”, \$4,400,000,000, to remain avail-
6 able until September 30, 2025, to respond to the situation
7 in Israel and for related expenses: *Provided*, That amounts
8 made available by under this heading shall be available
9 for transfer to accounts under the headings “Operation
10 and Maintenance”, “Procurement”, “Research, Develop-
11 ment, Test and Evaluation”, and “Revolving and Manage-
12 ment Funds” for replacement, through new procurement
13 or repair of existing unserviceable equipment, of defense
14 articles from the stocks of the Department of Defense, and
15 for reimbursement for defense services of the Department
16 of Defense and military education and training, provided
17 to or identified for provision to Israel or to foreign coun-
18 tries that have provided support to Israel at the request
19 of the United States: *Provided further*, That amounts
20 made available under this heading may also be transferred
21 to accounts under the heading “Procurement” for expan-
22 sion of public and private plants, including the land nec-
23 essary therefor, and procurement and installation of
24 equipment, appliances, and machine tools in such plants,
25 for the purpose of increasing production of critical muni-

1 tions: *Provided further*, That of amounts made available
2 under this heading may also be transferred to accounts
3 under the heading “Procurement” and “Research, Devel-
4 opment, Test and Evaluation” for the acquisition of crit-
5 ical defense articles: *Provided further*, That funds trans-
6 ferred pursuant to a transfer authority provided under
7 this heading shall be merged with and available for the
8 same purposes and for the same time period as the appro-
9 priations to which the funds are transferred: *Provided fur-*
10 *ther*, That the Secretary of Defense shall notify the con-
11 gressional defense committees of the details of such trans-
12 fers not less than 15 days before any such transfer: *Pro-*
13 *vided further*, That upon a determination that all or part
14 of the funds transferred from this appropriation are not
15 necessary for the purposes provided under this heading,
16 such amounts may be transferred back and merged with
17 this appropriation: *Provided further*, That amounts may
18 be transferred between appropriations made under this
19 heading: *Provided further*, That any transfer authority
20 provided under this heading is in addition to any other
21 transfer authority provided by law: *Provided further*, That
22 such amount in this paragraph is designated by the Con-
23 gress as an emergency requirement pursuant to section
24 251(b)(2)(A) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985, as amended: *Provided further*,

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

4 MILITARY PROGRAMS PROCUREMENT
5 PROCUREMENT OF AMMUNITION, ARMY

6 For an additional amount for “Procurement of Am-
7 muniton, Army”, \$801,400,000, to remain available until
8 September 30, 2026, to respond to the situation in Israel
9 and for related expenses: *Provided*, That such amount is
10 designated by the Congress as an emergency requirement
11 pursuant to section 251(b)(2)(A) of the Balanced Budget
12 and Emergency Deficit Control Act of 1985, as amended:
13 *Provided further*, That such amount shall be available only
14 if the President designates such amount as an emergency
15 requirement pursuant to section 251(b)(2)(A).

16 PROCUREMENT, DEFENSE-WIDE

17 For an additional amount for Procurement, Defense-
18 Wide, \$4,000,000,000, to remain available until Sep-
19 tember 30, 2027, for the Secretary of Defense to provide
20 to the Government of Israel for the procurement of the
21 Iron Dome and David’s Sling defense systems to counter
22 shortrange rocket threats: *Provided*, That such funds shall
23 be transferred pursuant to an exchange of letters and are
24 in addition to funds provided pursuant to the U.S.-Israel
25 Iron Dome Procurement Agreement, as amended: *Pro-*

1 *vided further*, That nothing under this heading shall be
2 construed to apply to amounts made available in prior ap-
3 propriations Acts for the procurement of the Iron Dome
4 and David’s Sling defense systems: *Provided further*, That
5 such amount is designated by the Congress as being for
6 an emergency requirement pursuant to section
7 251(b)(2)(A) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985, as amended: *Provided further*,
9 That such amounts shall be available only if the President
10 designates such amount as an emergency requirement pur-
11 suant to section 251(b)(2)(A).

12 MILITARY PROGRAMS RESEARCH, DEVELOPMENT, TEST,
13 AND EVALUATION
14 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
15 DEFENSE-WIDE

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

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

9 TITLE VIII—GENERAL PROVISIONS

10 SEC. 8001. Section 12001 of the Department of De-
11 fense Appropriations Act, 2005 (Public Law 108–287), as
12 amended by Public Law 115–141, is amended as follows:

13 (1) In paragraph (2) of subsection (a), by strik-
14 ing “armor” and all that follows through the end of
15 the paragraph and inserting “defense articles that
16 are in the inventory of the Department of Defense
17 as of the date of transfer, are intended for use as
18 reserve stocks for Israel, and are located in a stock-
19 pile for Israel as of the date of transfer”.

20 (2) In subsection (b), by striking “at least
21 equal to the fair market value of the items trans-
22 ferred” and inserting “in an amount to be deter-
23 mined by the Secretary of Defense”.

24 (3) In subsection (c), by inserting before the
25 comma in the first sentence the following: “, or as

1 far in advance of such transfer as is practicable as
2 determined by the President on a case-by-case basis
3 during extraordinary circumstances impacting the
4 national security of the United States”.

5 SEC. 8002. For fiscal year 2024, section 514(b) of
6 the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b))
7 shall not apply to defense articles to be set aside, ear-
8 marked, reserved, or intended for use as reserve stocks
9 in stockpiles in the State of Israel.

10 DEPARTMENT OF STATE
11 ADMINISTRATION OF FOREIGN AFFAIRS
12 DIPLOMATIC PROGRAMS

13 For an additional amount for “Diplomatic Pro-
14 grams”, \$150,000,000, to remain available until Sep-
15 tember 30, 2025, of which \$50,000,000 shall be for re-
16 sponding to the situation in Israel and areas impacted by
17 the situation in Israel, and of which \$100,000,000 shall
18 be available until expended for Worldwide Security Protec-
19 tion to respond to the situation in Israel and areas im-
20 pacted by the situation in Israel: *Provided*, That such
21 amount is designated by the Congress as an emergency
22 requirement pursuant to section 251(b)(2)(A) of the Bal-
23 anced Budget and Emergency Deficit Control Act of 1985,
24 as amended: *Provided further*, That such amount shall be
25 available only if the President designates such amount as

1 programs for fiscal year 2024 and prior fiscal years, in
2 addition to funds otherwise available for such purposes,
3 may be used by the Department of State for necessary
4 expenses for the general costs of administering military
5 assistance and sales, including management and oversight
6 of such programs and activities: *Provided further*, That di-
7 rect loans made using amounts described in the preceding
8 proviso may be made notwithstanding any provision of law
9 limiting the interest rate charged to borrowers: *Provided*
10 *further*, That loan guarantees made using amounts de-
11 scribed in the second proviso under this heading for loans
12 financed by the Federal Financing Bank may be provided
13 notwithstanding any provision of law limiting the percent-
14 age of loan principal that may be guaranteed: *Provided*
15 *further*, That, to the extent that the Government of Israel
16 requests that funds be used for such purposes, grants
17 made available for Israel under this heading shall, as
18 agreed by the United States and Israel, be available for
19 advanced weapons systems, of which up to \$3,500,000,000
20 may be available for the procurement in Israel of defense
21 articles and defense services: *Provided further*, That any
22 congressional notification requirement applicable to funds
23 made available under this heading for Israel may be
24 waived if a determination is made that extraordinary cir-
25 cumstances exist that impact the national security of the

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

8 This Act may be cited as the “‘Operation Swords of
9 Iron’ Supplemental Appropriations Act”.

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