

Union Calendar No. 93

118TH CONGRESS
1ST SESSION

H. R. 4365

[Report No. 118-121]

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2024, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2023

Mr. CALVERT, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Department of Defense 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, for military func-
6 tions administered by the Department of Defense and for
7 other purposes, namely:

8 TITLE I

9 MILITARY PERSONNEL

10 MILITARY PERSONNEL, ARMY

11 For pay, allowances, individual clothing, subsistence,
12 interest on deposits, gratuities, permanent change of sta-
13 tion travel (including all expenses thereof for organiza-
14 tional movements), and expenses of temporary duty travel
15 between permanent duty stations, for members of the
16 Army on active duty (except members of reserve compo-
17 nents provided for elsewhere), cadets, and aviation cadets;
18 for members of the Reserve Officers' Training Corps; and
19 for payments pursuant to section 156 of Public Law 97–
20 377, as amended (42 U.S.C. 402 note), and to the Depart-
21 ment of Defense Military Retirement Fund,
22 \$50,230,906,000.

23 MILITARY PERSONNEL, NAVY

24 For pay, allowances, individual clothing, subsistence,
25 interest on deposits, gratuities, permanent change of sta-

1 tion travel (including all expenses thereof for organiza-
2 tional movements), and expenses of temporary duty travel
3 between permanent duty stations, for members of the
4 Navy on active duty (except members of the Reserve pro-
5 vided for elsewhere), midshipmen, and aviation cadets; for
6 members of the Reserve Officers' Training Corps; and for
7 payments pursuant to section 156 of Public Law 97-377,
8 as amended (42 U.S.C. 402 note), and to the Department
9 of Defense Military Retirement Fund, \$37,615,388,000.

10 MILITARY PERSONNEL, MARINE CORPS

11 For pay, allowances, individual clothing, subsistence,
12 interest on deposits, gratuities, permanent change of sta-
13 tion travel (including all expenses thereof for organiza-
14 tional movements), and expenses of temporary duty travel
15 between permanent duty stations, for members of the Ma-
16 rine Corps on active duty (except members of the Reserve
17 provided for elsewhere); and for payments pursuant to sec-
18 tion 156 of Public Law 97-377, as amended (42 U.S.C.
19 402 note), and to the Department of Defense Military Re-
20 tirement Fund, \$15,556,629,000.

21 MILITARY PERSONNEL, AIR FORCE

22 For pay, allowances, individual clothing, subsistence,
23 interest on deposits, gratuities, permanent change of sta-
24 tion travel (including all expenses thereof for organiza-
25 tional movements), and expenses of temporary duty travel

1 between permanent duty stations, for members of the Air
2 Force on active duty (except members of reserve compo-
3 nents provided for elsewhere), cadets, and aviation cadets;
4 for members of the Reserve Officers' Training Corps; and
5 for payments pursuant to section 156 of Public Law 97-
6 377, as amended (42 U.S.C. 402 note), and to the Depart-
7 ment of Defense Military Retirement Fund,
8 \$36,512,530,000.

9 MILITARY PERSONNEL, SPACE FORCE

10 For pay, allowances, individual clothing, subsistence,
11 interest on deposits, gratuities, permanent change of sta-
12 tion travel (including all expenses thereof for organiza-
13 tional movements), and expenses of temporary duty travel
14 between permanent duty stations, for members of the
15 Space Force on active duty and cadets; for members of
16 the Reserve Officers' Training Corps; and for payments
17 pursuant to section 156 of Public Law 97-377, as amend-
18 ed (42 U.S.C. 402 note), and to the Department of De-
19 fense Military Retirement Fund, \$1,239,573,000.

20 RESERVE PERSONNEL, ARMY

21 For pay, allowances, clothing, subsistence, gratuities,
22 travel, and related expenses for personnel of the Army Re-
23 serve on active duty under sections 10211, 10302, and
24 7038 of title 10, United States Code, or while serving on
25 active duty under section 12301(d) of title 10, United

1 States Code, in connection with performing duty specified
2 in section 12310(a) of title 10, United States Code, or
3 while undergoing reserve training, or while performing
4 drills or equivalent duty or other duty, and expenses au-
5 thorized by section 16131 of title 10, United States Code;
6 and for payments to the Department of Defense Military
7 Retirement Fund, \$5,367,436,000.

8 RESERVE PERSONNEL, NAVY

9 For pay, allowances, clothing, subsistence, gratuities,
10 travel, and related expenses for personnel of the Navy Re-
11 serve on active duty under section 10211 of title 10,
12 United States Code, or while serving on active duty under
13 section 12301(d) of title 10, United States Code, in con-
14 nection with performing duty specified in section 12310(a)
15 of title 10, United States Code, or while undergoing re-
16 serve training, or while performing drills or equivalent
17 duty, and expenses authorized by section 16131 of title
18 10, United States Code; and for payments to the Depart-
19 ment of Defense Military Retirement Fund,
20 \$2,486,718,000.

21 RESERVE PERSONNEL, MARINE CORPS

22 For pay, allowances, clothing, subsistence, gratuities,
23 travel, and related expenses for personnel of the Marine
24 Corps Reserve on active duty under section 10211 of title
25 10, United States Code, or while serving on active duty

1 under section 12301(d) of title 10, United States Code,
2 in connection with performing duty specified in section
3 12310(a) of title 10, United States Code, or while under-
4 going reserve training, or while performing drills or equiv-
5 alent duty, and for members of the Marine Corps platoon
6 leaders class, and expenses authorized by section 16131
7 of title 10, United States Code; and for payments to the
8 Department of Defense Military Retirement Fund,
9 \$898,928,000.

10 RESERVE PERSONNEL, AIR FORCE

11 For pay, allowances, clothing, subsistence, gratuities,
12 travel, and related expenses for personnel of the Air Force
13 Reserve on active duty under sections 10211, 10305, and
14 9038 of title 10, United States Code, or while serving on
15 active duty under section 12301(d) of title 10, United
16 States Code, in connection with performing duty specified
17 in section 12310(a) of title 10, United States Code, or
18 while undergoing reserve training, or while performing
19 drills or equivalent duty or other duty, and expenses au-
20 thorized by section 16131 of title 10, United States Code;
21 and for payments to the Department of Defense Military
22 Retirement Fund, \$2,459,466,000.

23 NATIONAL GUARD PERSONNEL, ARMY

24 For pay, allowances, clothing, subsistence, gratuities,
25 travel, and related expenses for personnel of the Army Na-

1 tional Guard while on duty under sections 10211, 10302,
2 or 12402 of title 10 or section 708 of title 32, United
3 States Code, or while serving on duty under section
4 12301(d) of title 10 or section 502(f) of title 32, United
5 States Code, in connection with performing duty specified
6 in section 12310(a) of title 10, United States Code, or
7 while undergoing training, or while performing drills or
8 equivalent duty or other duty, and expenses authorized by
9 section 16131 of title 10, United States Code; and for pay-
10 ments to the Department of Defense Military Retirement
11 Fund, \$9,766,369,000.

12 NATIONAL GUARD PERSONNEL, AIR FORCE

13 For pay, allowances, clothing, subsistence, gratuities,
14 travel, and related expenses for personnel of the Air Na-
15 tional Guard on duty under sections 10211, 10305, or
16 12402 of title 10 or section 708 of title 32, United States
17 Code, or while serving on duty under section 12301(d) of
18 title 10 or section 502(f) of title 32, United States Code,
19 in connection with performing duty specified in section
20 12310(a) of title 10, United States Code, or while under-
21 going training, or while performing drills or equivalent
22 duty or other duty, and expenses authorized by section
23 16131 of title 10, United States Code; and for payments
24 to the Department of Defense Military Retirement Fund,
25 \$5,234,625,000.

1 TITLE II
2 OPERATION AND MAINTENANCE
3 OPERATION AND MAINTENANCE, ARMY

4 For expenses, not otherwise provided for, necessary
5 for the operation and maintenance of the Army, as author-
6 ized by law, \$60,525,399,000: *Provided*, That not to ex-
7 ceed \$12,478,000 may be used for emergencies and ex-
8 traordinary expenses, to be expended upon the approval
9 or authority of the Secretary of the Army, and payments
10 may be made upon the Secretary's certificate of necessity
11 for confidential military purposes.

12 OPERATION AND MAINTENANCE, NAVY

13 For expenses, not otherwise provided for, necessary
14 for the operation and maintenance of the Navy and the
15 Marine Corps, as authorized by law, \$73,547,305,000:
16 *Provided*, That not to exceed \$15,055,000 may be used
17 for emergencies and extraordinary expenses, to be ex-
18 pended upon the approval or authority of the Secretary
19 of the Navy, and payments may be made upon the Sec-
20 retary's certificate of necessity for confidential military
21 purposes.

22 OPERATION AND MAINTENANCE, MARINE CORPS

23 For expenses, not otherwise provided for, necessary
24 for the operation and maintenance of the Marine Corps,
25 as authorized by law, \$10,909,609,000.

1 OPERATION AND MAINTENANCE, AIR FORCE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance of the Air Force, as
4 authorized by law, \$63,460,822,000: *Provided*, That not
5 to exceed \$7,699,000 may be used for emergencies and
6 extraordinary expenses, to be expended upon the approval
7 or authority of the Secretary of the Air Force, and pay-
8 ments may be made upon the Secretary's certificate of ne-
9 cessity for confidential military purposes.

10 OPERATION AND MAINTENANCE, SPACE FORCE

11 For expenses, not otherwise provided for, necessary
12 for the operation and maintenance of the Space Force, as
13 authorized by law, \$4,890,886,000.

14 OPERATION AND MAINTENANCE, DEFENSE-WIDE

15 (INCLUDING TRANSFER OF FUNDS)

16 For expenses, not otherwise provided for, necessary
17 for the operation and maintenance of activities and agen-
18 cies of the Department of Defense (other than the military
19 departments), as authorized by law, \$52,453,715,000:
20 *Provided*, That not more than \$2,981,000 may be used
21 for the Combatant Commander Initiative Fund authorized
22 under section 166a of title 10, United States Code: *Pro-*
23 *vided further*, That not to exceed \$36,000,000 may be
24 used for emergencies and extraordinary expenses, to be ex-
25 pended upon the approval or authority of the Secretary

1 of Defense, and payments may be made upon the Sec-
2 retary's certificate of necessity for confidential military
3 purposes: *Provided further*, That of the funds provided
4 under this heading, not less than \$55,000,000 shall be
5 made available for the Procurement Technical Assistance
6 Cooperative Agreement Program, of which not less than
7 \$5,000,000 shall be available for centers defined in 10
8 U.S.C. 2411(1)(D): *Provided further*, That none of the
9 funds appropriated or otherwise made available by this
10 Act may be used to plan or implement the consolidation
11 of a budget or appropriations liaison office of the Office
12 of the Secretary of Defense, the office of the Secretary
13 of a military department, or the service headquarters of
14 one of the Armed Forces into a legislative affairs or legis-
15 lative liaison office: *Provided further*, That \$25,968,000
16 to remain available until expended, is available only for
17 expenses relating to certain classified activities, and may
18 be transferred as necessary by the Secretary of Defense
19 to operation and maintenance appropriations or research,
20 development, test and evaluation appropriations, to be
21 merged with and to be available for the same time period
22 as the appropriations to which transferred: *Provided fur-*
23 *ther*, That any ceiling on the investment item unit cost
24 of items that may be purchased with operation and main-
25 tenance funds shall not apply to the funds described in

1 the preceding proviso: *Provided further*, That of the funds
2 provided under this heading, \$2,304,649,000, of which
3 \$1,343,580,000, to remain available until September 30,
4 2025, shall be available to provide support and assistance
5 to foreign security forces or other groups or individuals
6 to conduct, support or facilitate counterterrorism, crisis
7 response, or other Department of Defense security co-
8 operation programs: *Provided further*, That the Secretary
9 of Defense shall provide quarterly reports to the Commit-
10 tees on Appropriations of the House of Representatives
11 and the Senate on the use and status of funds made avail-
12 able in this paragraph: *Provided further*, That the transfer
13 authority provided under this heading is in addition to any
14 other transfer authority provided elsewhere in this Act.

15 COUNTER-ISIS TRAIN AND EQUIP FUND

16 For the “Counter-Islamic State of Iraq and Syria
17 Train and Equip Fund”, \$397,950,000, to remain avail-
18 able until September 30, 2025: *Provided*, That such funds
19 shall be available to the Secretary of Defense in coordina-
20 tion with the Secretary of State, to provide assistance, in-
21 cluding training; equipment; logistics support, supplies,
22 and services; stipends; infrastructure repair and renova-
23 tion; construction for facility fortification and humane
24 treatment; and sustainment, to foreign security forces, ir-
25 regular forces, groups, or individuals participating, or pre-

1 paring to participate in activities to counter the Islamic
2 State of Iraq and Syria, and their affiliated or associated
3 groups: *Provided further*, That amounts made available
4 under this heading shall be available to provide assistance
5 only for activities in a country designated by the Secretary
6 of Defense, in coordination with the Secretary of State,
7 as having a security mission to counter the Islamic State
8 of Iraq and Syria, and following written notification to the
9 congressional defense committees of such designation:
10 *Provided further*, That the Secretary of Defense shall en-
11 sure that prior to providing assistance to elements of any
12 forces or individuals, such elements or individuals are ap-
13 propriately vetted, including at a minimum, assessing such
14 elements for associations with terrorist groups or groups
15 associated with the Government of Iran; and receiving
16 commitments from such elements to promote respect for
17 human rights and the rule of law: *Provided further*, That
18 the Secretary of Defense shall, not fewer than 15 days
19 prior to obligating from this appropriation account, notify
20 the congressional defense committees in writing of the de-
21 tails of any such obligation: *Provided further*, That the
22 Secretary of Defense may accept and retain contributions,
23 including assistance in-kind, from foreign governments,
24 including the Government of Iraq and other entities, to
25 carry out assistance authorized under this heading: *Pro-*

1 *vided further*, That contributions of funds for the purposes
2 provided herein from any foreign government or other en-
3 tity may be credited to this Fund, to remain available until
4 expended, and used for such purposes: *Provided further*,
5 That the Secretary of Defense shall prioritize such con-
6 tributions when providing any assistance for construction
7 for facility fortification: *Provided further*, That the Sec-
8 retary of Defense may waive a provision of law relating
9 to the acquisition of items and support services or sections
10 40 and 40A of the Arms Export Control Act (22 U.S.C.
11 2780 and 2785) if the Secretary determines that such pro-
12 vision of law would prohibit, restrict, delay or otherwise
13 limit the provision of such assistance and a notice of and
14 justification for such waiver is submitted to the congres-
15 sional defense committees, the Committees on Appropria-
16 tions and Foreign Relations of the Senate and the Com-
17 mittees on Appropriations and Foreign Affairs of the
18 House of Representatives: *Provided further*, That the
19 United States may accept equipment procured using funds
20 provided under this heading that was transferred to secu-
21 rity forces, irregular forces, or groups participating, or
22 preparing to participate in activities to counter the Islamic
23 State of Iraq and Syria and returned by such forces or
24 groups to the United States, and such equipment may be
25 treated as stocks of the Department of Defense upon writ-

1 ten notification to the congressional defense committees:
2 *Provided further,* That equipment procured using funds
3 provided under this heading and not yet transferred to se-
4 curity forces, irregular forces, or groups participating, or
5 preparing to participate in activities to counter the Islamic
6 State of Iraq and Syria may be treated as stocks of the
7 Department of Defense when determined by the Secretary
8 to no longer be required for transfer to such forces or
9 groups and upon written notification to the congressional
10 defense committees: *Provided further,* That the Secretary
11 of Defense shall provide quarterly reports to the congres-
12 sional defense committees on the use of funds provided
13 under this heading, including, but not limited to, the num-
14 ber of individuals trained, the nature and scope of support
15 and sustainment provided to each group or individual, the
16 area of operations for each group, and the contributions
17 of other countries, groups, or individuals: *Provided further,*
18 That of the funds provided under this heading for stipends
19 for foreign security forces, irregular forces, groups, or in-
20 dividuals participating, or preparing to participate in ac-
21 tivities to counter ISIS in Syria, fifty percent shall not
22 be available for obligation or expenditure until the Sec-
23 retary of Defense reports to the Committees on Appropria-
24 tions of the House of Representatives and the Senate that

1 measures are in place to ensure accountability of such
2 funds.

3 OPERATION AND MAINTENANCE, ARMY RESERVE

4 For expenses, not otherwise provided for, necessary
5 for the operation and maintenance, including training, or-
6 ganization, and administration, of the Army Reserve; re-
7 pair of facilities and equipment; hire of passenger motor
8 vehicles; travel and transportation; care of the dead; re-
9 cruiting; procurement of services, supplies, and equip-
10 ment; and communications, \$3,559,248,000.

11 OPERATION AND MAINTENANCE, NAVY RESERVE

12 For expenses, not otherwise provided for, necessary
13 for the operation and maintenance, including training, or-
14 ganization, and administration, of the Navy Reserve; re-
15 pair of facilities and equipment; hire of passenger motor
16 vehicles; travel and transportation; care of the dead; re-
17 cruiting; procurement of services, supplies, and equip-
18 ment; and communications, \$1,366,710,000.

19 OPERATION AND MAINTENANCE, MARINE CORPS

20 RESERVE

21 For expenses, not otherwise provided for, necessary
22 for the operation and maintenance, including training, or-
23 ganization, and administration, of the Marine Corps Re-
24 serve; repair of facilities and equipment; hire of passenger
25 motor vehicles; travel and transportation; care of the dead;

1 recruiting; procurement of services, supplies, and equip-
2 ment; and communications, \$323,395,000.

3 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

4 For expenses, not otherwise provided for, necessary
5 for the operation and maintenance, including training, or-
6 ganization, and administration, of the Air Force Reserve;
7 repair of facilities and equipment; hire of passenger motor
8 vehicles; travel and transportation; care of the dead; re-
9 cruiting; procurement of services, supplies, and equip-
10 ment; and communications, \$4,056,196,000.

11 OPERATION AND MAINTENANCE, ARMY NATIONAL

12 GUARD

13 For expenses of training, organizing, and admin-
14 istering the Army National Guard, including medical and
15 hospital treatment and related expenses in non-Federal
16 hospitals; maintenance, operation, and repairs to struc-
17 tures and facilities; hire of passenger motor vehicles; per-
18 sonnel services in the National Guard Bureau; travel ex-
19 penses (other than mileage), as authorized by law for
20 Army personnel on active duty, for Army National Guard
21 division, regimental, and battalion commanders while in-
22 specting units in compliance with National Guard Bureau
23 regulations when specifically authorized by the Chief, Na-
24 tional Guard Bureau; supplying and equipping the Army
25 National Guard as authorized by law; and expenses of re-

1 pair, modification, maintenance, and issue of supplies and
2 equipment (including aircraft), \$8,612,404,000.

3 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

4 For expenses of training, organizing, and admin-
5 istering the Air National Guard, including medical and
6 hospital treatment and related expenses in non-Federal
7 hospitals; maintenance, operation, and repairs to struc-
8 tures and facilities; transportation of things, hire of pas-
9 senger motor vehicles; supplying and equipping the Air
10 National Guard, as authorized by law; expenses for repair,
11 modification, maintenance, and issue of supplies and
12 equipment, including those furnished from stocks under
13 the control of agencies of the Department of Defense;
14 travel expenses (other than mileage) on the same basis as
15 authorized by law for Air National Guard personnel on
16 active Federal duty, for Air National Guard commanders
17 while inspecting units in compliance with National Guard
18 Bureau regulations when specifically authorized by the
19 Chief, National Guard Bureau, \$7,250,745,000.

20 UNITED STATES COURT OF APPEALS FOR THE ARMED
21 FORCES

22 For salaries and expenses necessary for the United
23 States Court of Appeals for the Armed Forces,
24 \$16,620,000, of which not to exceed \$10,000 may be used
25 for official representation purposes.

1 ENVIRONMENTAL RESTORATION, ARMY
2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Army, \$198,760,000, to
4 remain available until transferred: *Provided*, That the Sec-
5 retary of the Army shall, upon determining that such
6 funds are required for environmental restoration, reduc-
7 tion and recycling of hazardous waste, removal of unsafe
8 buildings and debris of the Department of the Army, or
9 for similar purposes, transfer the funds made available by
10 this appropriation to other appropriations made available
11 to the Department of the Army, to be merged with and
12 to be available for the same purposes and for the same
13 time period as the appropriations to which transferred:
14 *Provided further*, That upon a determination that all or
15 part of the funds transferred from this appropriation are
16 not necessary for the purposes provided herein, such
17 amounts may be transferred back to this appropriation:
18 *Provided further*, That the transfer authority provided
19 under this heading is in addition to any other transfer au-
20 thority provided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, NAVY
22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of the Navy, \$345,240,000, to
24 remain available until transferred: *Provided*, That the Sec-
25 retary of the Navy shall, upon determining that such

1 funds are required for environmental restoration, reduc-
2 tion and recycling of hazardous waste, removal of unsafe
3 buildings and debris of the Department of the Navy, or
4 for similar purposes, transfer the funds made available by
5 this appropriation to other appropriations made available
6 to the Department of the Navy, to be merged with and
7 to be available for the same purposes and for the same
8 time period as the appropriations to which transferred:
9 *Provided further*, That upon a determination that all or
10 part of the funds transferred from this appropriation are
11 not necessary for the purposes provided herein, such
12 amounts may be transferred back to this appropriation:
13 *Provided further*, That the transfer authority provided
14 under this heading is in addition to any other transfer au-
15 thority provided elsewhere in this Act.

16 ENVIRONMENTAL RESTORATION, AIR FORCE
17 (INCLUDING TRANSFER OF FUNDS)

18 For the Department of the Air Force, \$359,744,000,
19 to remain available until transferred: *Provided*, That the
20 Secretary of the Air Force shall, upon determining that
21 such funds are required for environmental restoration, re-
22 duction and recycling of hazardous waste, removal of un-
23 safe buildings and debris of the Department of the Air
24 Force, or for similar purposes, transfer the funds made
25 available by this appropriation to other appropriations

1 made available to the Department of the Air Force, to be
2 merged with and to be available for the same purposes
3 and for the same time period as the appropriations to
4 which transferred: *Provided further*, That upon a deter-
5 mination that all or part of the funds transferred from
6 this appropriation are not necessary for the purposes pro-
7 vided herein, such amounts may be transferred back to
8 this appropriation: *Provided further*, That the transfer au-
9 thority provided under this heading is in addition to any
10 other transfer authority provided elsewhere in this Act.

11 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of Defense, \$8,965,000, to re-
14 main available until transferred: *Provided*, That the Sec-
15 retary of Defense shall, upon determining that such funds
16 are required for environmental restoration, reduction and
17 recycling of hazardous waste, removal of unsafe buildings
18 and debris of the Department of Defense, or for similar
19 purposes, transfer the funds made available by this appro-
20 priation to other appropriations made available to the De-
21 partment of Defense, to be merged with and to be avail-
22 able for the same purposes and for the same time period
23 as the appropriations to which transferred: *Provided fur-*
24 *ther*, That upon a determination that all or part of the
25 funds transferred from this appropriation are not nec-

1 essary for the purposes provided herein, such amounts
2 may be transferred back to this appropriation: *Provided*
3 *further*, That the transfer authority provided under this
4 heading is in addition to any other transfer authority pro-
5 vided elsewhere in this Act.

6 ENVIRONMENTAL RESTORATION, FORMERLY USED
7 DEFENSE SITES
8 (INCLUDING TRANSFER OF FUNDS)

9 For the Department of the Army, \$232,806,000, to
10 remain available until transferred: *Provided*, That the Sec-
11 retary of the Army shall, upon determining that such
12 funds are required for environmental restoration, reduc-
13 tion and recycling of hazardous waste, removal of unsafe
14 buildings and debris at sites formerly used by the Depart-
15 ment of Defense, transfer the funds made available by this
16 appropriation to other appropriations made available to
17 the Department of the Army, to be merged with and to
18 be available for the same purposes and for the same time
19 period as the appropriations to which transferred: *Pro-*
20 *vided further*, That upon a determination that all or part
21 of the funds transferred from this appropriation are not
22 necessary for the purposes provided herein, such amounts
23 may be transferred back to this appropriation: *Provided*
24 *further*, That the transfer authority provided under this

1 heading is in addition to any other transfer authority pro-
2 vided elsewhere in this Act.

3 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

4 For expenses relating to the Overseas Humanitarian,
5 Disaster, and Civic Aid programs of the Department of
6 Defense (consisting of the programs provided under sec-
7 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
8 United States Code), \$142,500,000, to remain available
9 until September 30, 2025.

10 COOPERATIVE THREAT REDUCTION ACCOUNT

11 For assistance, including assistance provided by con-
12 tract or by grants, under programs and activities of the
13 Department of Defense Cooperative Threat Reduction
14 Program authorized under the Department of Defense Co-
15 operative Threat Reduction Act, \$350,999,000, to remain
16 available until September 30, 2026.

17 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE

18 DEVELOPMENT ACCOUNT

19 For the Department of Defense Acquisition Work-
20 force Development Account, \$54,977,000: *Provided*, That
21 no other amounts may be otherwise credited or transferred
22 to the Account, or deposited into the Account, in fiscal
23 year 2024 pursuant to section 1705(d) of title 10, United
24 States Code.

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TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$3,030,767,000, to remain available for obligation until September 30, 2026.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired,

1 and construction prosecuted thereon prior to approval of
2 title; and procurement and installation of equipment, ap-
3 pliances, and machine tools in public and private plants;
4 reserve plant and Government and contractor-owned
5 equipment layaway; and other expenses necessary for the
6 foregoing purposes, \$4,483,806,000, to remain available
7 for obligation until September 30, 2026.

8 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
9 VEHICLES, ARMY

10 For construction, procurement, production, and
11 modification of weapons and tracked combat vehicles,
12 equipment, including ordnance, spare parts, and acces-
13 sories therefor; specialized equipment and training devices;
14 expansion of public and private plants, including the land
15 necessary therefor, for the foregoing purposes, and such
16 lands and interests therein, may be acquired, and con-
17 struction prosecuted thereon prior to approval of title; and
18 procurement and installation of equipment, appliances,
19 and machine tools in public and private plants; reserve
20 plant and Government and contractor-owned equipment
21 layaway; and other expenses necessary for the foregoing
22 purposes, \$3,943,584,000, to remain available for obliga-
23 tion until September 30, 2026.

1 PROCUREMENT OF AMMUNITION, ARMY

2 For construction, procurement, production, and
3 modification of ammunition, and accessories therefor; spe-
4 cialized equipment and training devices; expansion of pub-
5 lic and private plants, including ammunition facilities, au-
6 thorized by section 2854 of title 10, United States Code,
7 and the land necessary therefor, for the foregoing pur-
8 poses, and such lands and interests therein, may be ac-
9 quired, and construction prosecuted thereon prior to ap-
10 proval of title; and procurement and installation of equip-
11 ment, appliances, and machine tools in public and private
12 plants; reserve plant and Government and contractor-
13 owned equipment layaway; and other expenses necessary
14 for the foregoing purposes, \$2,971,928,000, to remain
15 available for obligation until September 30, 2026.

16 OTHER PROCUREMENT, ARMY

17 For construction, procurement, production, and
18 modification of vehicles, including tactical, support, and
19 non-tracked combat vehicles; the purchase of passenger
20 motor vehicles for replacement only; communications and
21 electronic equipment; other support equipment; spare
22 parts, ordnance, and accessories therefor; specialized
23 equipment and training devices; expansion of public and
24 private plants, including the land necessary therefor, for
25 the foregoing purposes, and such lands and interests

1 therein, may be acquired, and construction prosecuted
2 thereon prior to approval of title; and procurement and
3 installation of equipment, appliances, and machine tools
4 in public and private plants; reserve plant and Govern-
5 ment and contractor-owned equipment layaway; and other
6 expenses necessary for the foregoing purposes,
7 \$8,679,516,000, to remain available for obligation until
8 September 30, 2026.

9 AIRCRAFT PROCUREMENT, NAVY

10 For construction, procurement, production, modifica-
11 tion, and modernization of aircraft, equipment, including
12 ordnance, spare parts, and accessories therefor; specialized
13 equipment; expansion of public and private plants, includ-
14 ing the land necessary therefor, and such lands and inter-
15 ests therein, may be acquired, and construction prosecuted
16 thereon prior to approval of title; and procurement and
17 installation of equipment, appliances, and machine tools
18 in public and private plants; reserve plant and Govern-
19 ment and contractor-owned equipment layaway,
20 \$17,450,040,000, to remain available for obligation until
21 September 30, 2026.

22 WEAPONS PROCUREMENT, NAVY

23 For construction, procurement, production, modifica-
24 tion, and modernization of missiles, torpedoes, other weap-
25 ons, and related support equipment including spare parts,

1 and accessories therefor; expansion of public and private
 2 plants, including the land necessary therefor, and such
 3 lands and interests therein, may be acquired, and con-
 4 struction prosecuted thereon prior to approval of title; and
 5 procurement and installation of equipment, appliances,
 6 and machine tools in public and private plants; reserve
 7 plant and Government and contractor-owned equipment
 8 layaway, \$5,826,997,000, to remain available for obliga-
 9 tion until September 30, 2026.

10 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
 11 CORPS

12 For construction, procurement, production, and
 13 modification of ammunition, and accessories therefor; spe-
 14 cialized equipment and training devices; expansion of pub-
 15 lic and private plants, including ammunition facilities, au-
 16 thorized by section 2854 of title 10, United States Code,
 17 and the land necessary therefor, for the foregoing pur-
 18 poses, and such lands and interests therein, may be ac-
 19 quired, and construction prosecuted thereon prior to ap-
 20 proval of title; and procurement and installation of equip-
 21 ment, appliances, and machine tools in public and private
 22 plants; reserve plant and Government and contractor-
 23 owned equipment layaway; and other expenses necessary
 24 for the foregoing purposes, \$1,238,558,000, to remain
 25 available for obligation until September 30, 2026.

1 SHIPBUILDING AND CONVERSION, NAVY

2 For expenses necessary for the construction, acquisi-
3 tion, or conversion of vessels as authorized by law, includ-
4 ing armor and armament thereof, plant equipment, appli-
5 ances, and machine tools and installation thereof in public
6 and private plants; reserve plant and Government and con-
7 tractor-owned equipment layaway; procurement of critical,
8 long lead time components and designs for vessels to be
9 constructed or converted in the future; and expansion of
10 public and private plants, including land necessary there-
11 for, and such lands and interests therein, may be acquired,
12 and construction prosecuted thereon prior to approval of
13 title, as follows:

14 Columbia Class Submarine, \$2,443,598,000;

15 Columbia Class Submarine (AP),
16 \$3,390,734,000;

17 Carrier Replacement Program (CVN-80),
18 \$1,104,421,000;

19 Carrier Replacement Program (CVN-81),
20 \$800,492,000;

21 Virginia Class Submarine, \$7,129,965,000;

22 Virginia Class Submarine (AP),
23 \$3,215,539,000;

24 CVN Refueling Overhauls (AP), \$802,988,000;

25 DDG-1000 Program, \$318,655,000;

1 DDG-51 Destroyer, \$4,199,179,000;
2 DDG-51 Destroyer (AP), \$284,035,000;
3 FFG-Frigate, \$2,133,861,000;
4 LHA Replacement, \$1,830,149,000;
5 AS Submarine Tender, \$1,544,595,000;
6 TAO Fleet Oiler, \$815,420,000;
7 LCU 1700, \$62,532,000;
8 Ship to Shore Connector, \$400,000,000;
9 Service Craft, \$85,115,000;
10 LCAC SLEP, \$15,286,000;
11 Auxiliary Vessels, \$142,008,000;
12 For outfitting, post delivery, conversions, and
13 first destination transportation, \$539,681,000; and
14 Completion of Prior Year Shipbuilding Pro-
15 grams, \$1,648,559,000.
16 In all: \$32,906,812,000, to remain available for obligation
17 until September 30, 2028: *Provided*, That additional obli-
18 gations may be incurred after September 30, 2028, for
19 engineering services, tests, evaluations, and other such
20 budgeted work that must be performed in the final stage
21 of ship construction: *Provided further*, That none of the
22 funds provided under this heading for the construction or
23 conversion of any naval vessel to be constructed in ship-
24 yards in the United States shall be expended in foreign
25 facilities for the construction of major components of such

1 vessel: *Provided further*, That none of the funds provided
2 under this heading shall be used for the construction of
3 any naval vessel in foreign shipyards: *Provided further*,
4 That funds appropriated or otherwise made available by
5 this Act for Columbia Class Submarine (AP) may be avail-
6 able for the purposes authorized by subsections (f), (g),
7 (h) or (i) of section 2218a of title 10, United States Code,
8 only in accordance with the provisions of the applicable
9 subsection.

10 OTHER PROCUREMENT, NAVY

11 For procurement, production, and modernization of
12 support equipment and materials not otherwise provided
13 for, Navy ordnance (except ordnance for new aircraft, new
14 ships, and ships authorized for conversion); the purchase
15 of passenger motor vehicles for replacement only; expan-
16 sion of public and private plants, including the land nec-
17 essary therefor, and such lands and interests therein, may
18 be acquired, and construction prosecuted thereon prior to
19 approval of title; and procurement and installation of
20 equipment, appliances, and machine tools in public and
21 private plants; reserve plant and Government and con-
22 tractor-owned equipment layaway, \$13,675,677,000, to
23 remain available for obligation until September 30, 2026:
24 *Provided*, That such funds are also available for the main-

1 tenance, repair, and modernization of ships under a pilot
2 program established for such purposes.

3 PROCUREMENT, MARINE CORPS

4 For expenses necessary for the procurement, manu-
5 facture, and modification of missiles, armament, military
6 equipment, spare parts, and accessories therefor; plant
7 equipment, appliances, and machine tools, and installation
8 thereof in public and private plants; reserve plant and
9 Government and contractor-owned equipment layaway; ve-
10 hicles for the Marine Corps, including the purchase of pas-
11 senger motor vehicles for replacement only; and expansion
12 of public and private plants, including land necessary
13 therefor, and such lands and interests therein, may be ac-
14 quired, and construction prosecuted thereon prior to ap-
15 proval of title, \$3,775,224,000, to remain available for ob-
16 ligation until September 30, 2026.

17 AIRCRAFT PROCUREMENT, AIR FORCE

18 For construction, procurement, and modification of
19 aircraft and equipment, including armor and armament,
20 specialized ground handling equipment, and training de-
21 vices, spare parts, and accessories therefor; specialized
22 equipment; expansion of public and private plants, Gov-
23 ernment-owned equipment and installation thereof in such
24 plants, erection of structures, and acquisition of land, for
25 the foregoing purposes, and such lands and interests

1 therein, may be acquired, and construction prosecuted
2 thereon prior to approval of title; reserve plant and Gov-
3 ernment and contractor-owned equipment layaway; and
4 other expenses necessary for the foregoing purposes in-
5 cluding rents and transportation of things,
6 \$20,196,409,000, to remain available for obligation until
7 September 30, 2026.

8 MISSILE PROCUREMENT, AIR FORCE

9 For construction, procurement, and modification of
10 missiles, rockets, and related equipment, including spare
11 parts and accessories therefor; ground handling equip-
12 ment, and training devices; expansion of public and pri-
13 vate plants, Government-owned equipment and installa-
14 tion thereof in such plants, erection of structures, and ac-
15 quisition of land, for the foregoing purposes, and such
16 lands and interests therein, may be acquired, and con-
17 struction prosecuted thereon prior to approval of title; re-
18 serve plant and Government and contractor-owned equip-
19 ment layaway; and other expenses necessary for the fore-
20 going purposes including rents and transportation of
21 things, \$4,401,753,000, to remain available for obligation
22 until September 30, 2026.

23 PROCUREMENT OF AMMUNITION, AIR FORCE

24 For construction, procurement, production, and
25 modification of ammunition, and accessories therefor; spe-

1 cialized equipment and training devices; expansion of pub-
2 lic and private plants, including ammunition facilities, au-
3 thorized by section 2854 of title 10, United States Code,
4 and the land necessary therefor, for the foregoing pur-
5 poses, and such lands and interests therein, may be ac-
6 quired, and construction prosecuted thereon prior to ap-
7 proval of title; and procurement and installation of equip-
8 ment, appliances, and machine tools in public and private
9 plants; reserve plant and Government and contractor-
10 owned equipment layaway; and other expenses necessary
11 for the foregoing purposes, \$642,448,000, to remain avail-
12 able for obligation until September 30, 2026.

13 OTHER PROCUREMENT, AIR FORCE

14 For procurement and modification of equipment (in-
15 cluding ground guidance and electronic control equipment,
16 and ground electronic and communication equipment),
17 and supplies, materials, and spare parts therefor, not oth-
18 erwise provided for; the purchase of passenger motor vehi-
19 cles for replacement only; lease of passenger motor vehi-
20 cles; and expansion of public and private plants, Govern-
21 ment-owned equipment and installation thereof in such
22 plants, erection of structures, and acquisition of land, for
23 the foregoing purposes, and such lands and interests
24 therein, may be acquired, and construction prosecuted
25 thereon, prior to approval of title; reserve plant and Gov-

1 ernment and contractor-owned equipment layaway,
2 \$29,819,938,000, to remain available for obligation until
3 September 30, 2026.

4 PROCUREMENT, SPACE FORCE

5 For construction, procurement, and modification of
6 spacecraft, rockets, and related equipment, including
7 spare parts and accessories therefor; ground handling
8 equipment, and training devices; expansion of public and
9 private plants, Government-owned equipment and installa-
10 tion thereof in such plants, erection of structures, and ac-
11 quisition of land, for the foregoing purposes, and such
12 lands and interests therein, may be acquired, and con-
13 struction prosecuted thereon prior to approval of title; re-
14 serve plant and Government and contractor-owned equip-
15 ment layaway; and other expenses necessary for the fore-
16 going purposes including rents and transportation of
17 things, \$4,109,201,000, to remain available for obligation
18 until September 30, 2026.

19 PROCUREMENT, DEFENSE-WIDE

20 For expenses of activities and agencies of the Depart-
21 ment of Defense (other than the military departments)
22 necessary for procurement, production, and modification
23 of equipment, supplies, materials, and spare parts there-
24 for, not otherwise provided for; the purchase of passenger
25 motor vehicles for replacement only; expansion of public

1 and private plants, equipment, and installation thereof in
2 such plants, erection of structures, and acquisition of land
3 for the foregoing purposes, and such lands and interests
4 therein, may be acquired, and construction prosecuted
5 thereon prior to approval of title; reserve plant and Gov-
6 ernment and contractor-owned equipment layaway,
7 \$6,289,820,000, to remain available for obligation until
8 September 30, 2026.

9 DEFENSE PRODUCTION ACT PURCHASES

10 For activities by the Department of Defense pursuant
11 to sections 108, 301, 302, and 303 of the Defense Produc-
12 tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),
13 \$618,605,000, to remain available for obligation until Sep-
14 tember 30, 2026, which shall be obligated and expended
15 by the Secretary of Defense as if delegated the necessary
16 authorities conferred by the Defense Production Act of
17 1950.

18 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

19 For procurement of rotary-wing aircraft; combat, tac-
20 tical and support vehicles; other weapons; and other pro-
21 curement items for the reserve components of the Armed
22 Forces, \$1,000,000,000, to remain available for obligation
23 until September 30, 2026: *Provided*, That the Chiefs of
24 National Guard and Reserve components shall, not later
25 than 30 days after enactment of this Act, individually sub-

1 mit to the congressional defense committees the mod-
2 ernization priority assessment for their respective Na-
3 tional Guard or Reserve component: *Provided further,*
4 That none of the funds made available by this paragraph
5 may be used to procure manned fixed wing aircraft, or
6 procure or modify missiles, munitions, or ammunition.

1 TITLE IV
2 RESEARCH, DEVELOPMENT, TEST AND
3 EVALUATION

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
5 ARMY

6 For expenses necessary for basic and applied sci-
7 entific research, development, test and evaluation, includ-
8 ing maintenance, rehabilitation, lease, and operation of fa-
9 cilities and equipment, \$16,758,462,000, to remain avail-
10 able for obligation until September 30, 2025.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
12 NAVY

13 For expenses necessary for basic and applied sci-
14 entific research, development, test and evaluation, includ-
15 ing maintenance, rehabilitation, lease, and operation of fa-
16 cilities and equipment, \$27,690,777,000, to remain avail-
17 able for obligation until September 30, 2025: *Provided*,
18 That funds appropriated in this paragraph which are
19 available for the V-22 may be used to meet unique oper-
20 ational requirements of the Special Operations Forces.

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
22 AIR FORCE

23 For expenses necessary for basic and applied sci-
24 entific research, development, test and evaluation, includ-
25 ing maintenance, rehabilitation, lease, and operation of fa-

1 cilities and equipment, \$46,479,858,000, to remain avail-
2 able for obligation until September 30, 2025.

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
4 SPACE FORCE

5 For expenses necessary for basic and applied sci-
6 entific research, development, test and evaluation, includ-
7 ing maintenance, rehabilitation, lease, and operation of fa-
8 cilities and equipment, \$18,839,144,000, to remain avail-
9 able until September 30, 2025.

10 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
11 DEFENSE-WIDE

12 For expenses of activities and agencies of the Depart-
13 ment of Defense (other than the military departments),
14 necessary for basic and applied scientific research, devel-
15 opment, test and evaluation; advanced research projects
16 as may be designated and determined by the Secretary
17 of Defense, pursuant to law; maintenance, rehabilitation,
18 lease, and operation of facilities and equipment,
19 \$36,782,566,000, to remain available for obligation until
20 September 30, 2025.

21 OPERATIONAL TEST AND EVALUATION, DEFENSE

22 For expenses, not otherwise provided for, necessary
23 for the independent activities of the Director, Operational
24 Test and Evaluation, in the direction and supervision of
25 operational test and evaluation, including initial oper-

1 ational test and evaluation which is conducted prior to,
2 and in support of, production decisions; joint operational
3 testing and evaluation; and administrative expenses in
4 connection therewith, \$285,444,000, to remain available
5 for obligation until September 30, 2025.

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TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds,
\$1,666,779,000.

NATIONAL DEFENSE STOCKPILE TRANSACTION FUND

For the National Defense Stockpile Transaction
Fund, \$7,629,000, for activities pursuant to the Strategic
and Critical Materials Stock Piling Act (50 U.S.C. 98 et
seq.).

1 TITLE VI
2 OTHER DEPARTMENT OF DEFENSE PROGRAMS
3 DEFENSE HEALTH PROGRAM

4 For expenses, not otherwise provided for, for medical
5 and health care programs of the Department of Defense
6 as authorized by law, \$39,365,472,000; of which
7 \$36,826,743,000 shall be for operation and maintenance,
8 of which not to exceed one percent shall remain available
9 for obligation until September 30, 2025, and of which up
10 to \$19,762,352,000 may be available for contracts entered
11 into under the TRICARE program; of which
12 \$381,881,000, to remain available for obligation until Sep-
13 tember 30, 2026, shall be for procurement; and of which
14 \$2,156,848,000, to remain available for obligation until
15 September 30, 2025, shall be for research, development,
16 test and evaluation: *Provided*, That, notwithstanding any
17 other provision of law, of the amount made available under
18 this heading for research, development, test and evalua-
19 tion, not less than \$12,000,000 shall be available for HIV
20 prevention educational activities undertaken in connection
21 with United States military training, exercises, and hu-
22 manitarian assistance activities conducted primarily in Af-
23 rican nations: *Provided further*, That of the funds provided
24 under this heading for research, development, test and
25 evaluation, not less than \$1,154,000,000 shall be made

1 available to the Defense Health Agency to carry out the
2 congressionally directed medical research programs: *Pro-*
3 *vided further*, That the Secretary of Defense shall submit
4 to the congressional defense committees quarterly reports
5 on the current status of the electronic health record pro-
6 gram: *Provided further*, That the Comptroller General of
7 the United States shall perform quarterly performance re-
8 views of the electronic health record program.

9 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,

10 DEFENSE

11 For expenses, not otherwise provided for, necessary
12 for the destruction of the United States stockpile of lethal
13 chemical agents and munitions in accordance with the pro-
14 visions of section 1412 of the Department of Defense Au-
15 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
16 struction of other chemical warfare materials that are not
17 in the chemical weapon stockpile, \$1,091,844,000, of
18 which \$89,284,000 shall be for operation and mainte-
19 nance, of which no less than \$57,875,000 shall be for the
20 Chemical Stockpile Emergency Preparedness Program,
21 consisting of \$23,676,000 for activities on military instal-
22 lations and \$34,199,000, to remain available until Sep-
23 tember 30, 2025, to assist State and local governments;
24 and \$1,002,560,000, to remain available until September
25 30, 2025, shall be for research, development, test and eval-

1 uation, of which \$1,000,467,000 shall only be for the As-
2 sembled Chemical Weapons Alternatives program.

3 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
4 DEFENSE
5 (INCLUDING TRANSFER OF FUNDS)

6 For drug interdiction and counter-drug activities of
7 the Department of Defense, for transfer to appropriations
8 available to the Department of Defense for military per-
9 sonnel of the reserve components serving under the provi-
10 sions of title 10 and title 32, United States Code; for oper-
11 ation and maintenance; for procurement; and for research,
12 development, test and evaluation, \$1,162,161,000, of
13 which \$693,848,000 shall be for counter-narcotics sup-
14 port; \$138,313,000 shall be for the drug demand reduc-
15 tion program; \$300,000,000 shall be for the National
16 Guard counter-drug program; and \$30,000,000 shall be
17 for the National Guard counter-drug schools program:
18 *Provided*, That the funds appropriated under this heading
19 shall be available for obligation for the same time period
20 and for the same purpose as the appropriation to which
21 transferred: *Provided further*, That upon a determination
22 that all or part of the funds transferred from this appro-
23 priation are not necessary for the purposes provided here-
24 in, such amounts may be transferred back to this appro-
25 priation: *Provided further*, That the transfer authority pro-

1 vided under this heading is in addition to any other trans-
2 fer authority contained elsewhere in this Act: *Provided fur-*
3 *ther*, That funds appropriated under this heading may be
4 used to support a new start program or project only after
5 written prior notification to the Committees on Appropria-
6 tions of the House of Representatives and the Senate.

7 OFFICE OF THE INSPECTOR GENERAL

8 For expenses and activities of the Office of the In-
9 spector General in carrying out the provisions of the In-
10 spector General Act of 1978, as amended, \$506,629,000,
11 of which \$502,131,000 shall be for operation and mainte-
12 nance, of which not to exceed \$700,000 is available for
13 emergencies and extraordinary expenses to be expended
14 upon the approval or authority of the Inspector General,
15 and payments may be made upon the Inspector General's
16 certificate of necessity for confidential military purposes;
17 of which \$1,098,000, to remain available for obligation
18 until September 30, 2026, shall be for procurement; and
19 of which \$3,400,000, to remain available until September
20 30, 2025, shall be for research, development, test and eval-
21 uation.

22

- 1 TITLE VII
- 2 RELATED AGENCIES
- 3 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
- 4 DISABILITY SYSTEM FUND
- 5 For payment to the Central Intelligence Agency Re-
- 6 tirement and Disability System Fund, to maintain the
- 7 proper funding level for continuing the operation of the
- 8 Central Intelligence Agency Retirement and Disability
- 9 System, \$514,000,000.
- 10 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT
- 11 For necessary expenses of the Intelligence Commu-
- 12 nity Management Account, \$608,820,000.

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TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense:

Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

1 appropriated and in no case where the item for which
2 funds are requested has been denied by the Congress: *Pro-*
3 *vided further*, That the Secretary of Defense shall notify
4 the Congress promptly of all transfers made pursuant to
5 this authority or any other authority in this Act: *Provided*
6 *further*, That no part of the funds in this Act shall be
7 available to prepare or present a request to the Commit-
8 tees on Appropriations of the House of Representatives
9 and the Senate for reprogramming of funds, unless for
10 higher priority items, based on unforeseen military re-
11 quirements, than those for which originally appropriated
12 and in no case where the item for which reprogramming
13 is requested has been denied by the Congress: *Provided*
14 *further*, That a request for multiple reprogrammings of
15 funds using authority provided in this section shall be
16 made prior to June 30, 2024: *Provided further*, That
17 transfers among military personnel appropriations shall
18 not be taken into account for purposes of the limitation
19 on the amount of funds that may be transferred under
20 this section.

21 SEC. 8006. (a) With regard to the list of specific pro-
22 grams, projects, and activities (and the dollar amounts
23 and adjustments to budget activities corresponding to
24 such programs, projects, and activities) contained in the
25 tables titled Explanation of Project Level Adjustments in

1 the explanatory statement regarding this Act and the ta-
2 bles contained in the classified annex accompanying this
3 Act, the obligation and expenditure of amounts appro-
4 priated or otherwise made available in this Act for those
5 programs, projects, and activities are hereby required by
6 law to be carried out in the manner provided by such ta-
7 bles to the same extent as if the tables were included in
8 the text of this Act.

9 (b) Amounts specified in the referenced tables de-
10 scribed in subsection (a) shall not be treated as subdivi-
11 sions of appropriations for purposes of section 8005 of this
12 Act: *Provided*, That section 8005 shall apply when trans-
13 fers of the amounts described in subsection (a) occur be-
14 tween appropriation accounts.

15 SEC. 8007. (a) Not later than 60 days after the date
16 of the enactment of this Act, the Department of Defense
17 shall submit a report to the congressional defense commit-
18 tees to establish the baseline for application of reprogram-
19 ming and transfer authorities for fiscal year 2024: *Pro-*
20 *vided*, That the report shall include—

21 (1) a table for each appropriation with a sepa-
22 rate column to display the President's budget re-
23 quest, adjustments made by Congress, adjustments
24 due to enacted rescissions, if appropriate, and the
25 fiscal year enacted level;

1 (2) a delineation in the table for each appro-
2 priation both by budget activity and program,
3 project, and activity as detailed in the Budget Ap-
4 pendix; and

5 (3) an identification of items of special congres-
6 sional interest.

7 (b) Notwithstanding section 8005 of this Act, none
8 of the funds provided in this Act shall be available for
9 reprogramming or transfer until the report identified in
10 subsection (a) is submitted to the congressional defense
11 committees, unless the Secretary of Defense certifies in
12 writing to the congressional defense committees that such
13 reprogramming or transfer is necessary as an emergency
14 requirement: *Provided*, That this subsection shall not
15 apply to transfers from the following appropriations ac-
16 counts:

17 (1) “Environmental Restoration, Army”;

18 (2) “Environmental Restoration, Navy”;

19 (3) “Environmental Restoration, Air Force”;

20 (4) “Environmental Restoration, Defense-
21 Wide”;

22 (5) “Environmental Restoration, Formerly
23 Used Defense Sites”; and

24 (6) “Drug Interdiction and Counter-drug Ac-
25 tivities, Defense”.

(TRANSFER OF FUNDS)

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2 SEC. 8008. During the current fiscal year, cash bal-
3 ances in working capital funds of the Department of De-
4 fense established pursuant to section 2208 of title 10,
5 United States Code, may be maintained in only such
6 amounts as are necessary at any time for cash disburse-
7 ments to be made from such funds: *Provided*, That trans-
8 fers may be made between such funds: *Provided further*,
9 That transfers may be made between working capital
10 funds and the “Foreign Currency Fluctuations, Defense”
11 appropriation and the “Operation and Maintenance” ap-
12 propriation accounts in such amounts as may be deter-
13 mined by the Secretary of Defense, with the approval of
14 the Office of Management and Budget, except that such
15 transfers may not be made unless the Secretary of Defense
16 has notified the Congress of the proposed transfer: *Pro-*
17 *vided further*, That except in amounts equal to the
18 amounts appropriated to working capital funds in this Act,
19 no obligations may be made against a working capital fund
20 to procure or increase the value of war reserve material
21 inventory, unless the Secretary of Defense has notified the
22 Congress prior to any such obligation.

23 SEC. 8009. Funds appropriated by this Act may not
24 be used to initiate a special access program without prior

1 notification 30 calendar days in advance to the congres-
2 sional defense committees.

3 SEC. 8010. None of the funds provided in this Act
4 shall be available to initiate: (1) a multiyear contract that
5 employs economic order quantity procurement in excess of
6 \$20,000,000 in any one year of the contract or that in-
7 cludes an unfunded contingent liability in excess of
8 \$20,000,000; or (2) a contract for advance procurement
9 leading to a multiyear contract that employs economic
10 order quantity procurement in excess of \$20,000,000 in
11 any one year, unless the congressional defense committees
12 have been notified at least 30 days in advance of the pro-
13 posed contract award: *Provided*, That no part of any ap-
14 propriation contained in this Act shall be available to ini-
15 tiate a multiyear contract for which the economic order
16 quantity advance procurement is not funded at least to
17 the limits of the Government's liability: *Provided further*,
18 That no part of any appropriation contained in this Act
19 shall be available to initiate multiyear procurement con-
20 tracts for any systems or component thereof if the value
21 of the multiyear contract would exceed \$500,000,000 un-
22 less specifically provided in this Act: *Provided further*,
23 That no multiyear procurement contract can be termi-
24 nated without 30-day prior notification to the congres-
25 sional defense committees: *Provided further*, That the exe-

1 cution of multiyear authority shall require the use of a
2 present value analysis to determine lowest cost compared
3 to an annual procurement: *Provided further*, That none of
4 the funds provided in this Act may be used for a multiyear
5 contract executed after the date of the enactment of this
6 Act unless in the case of any such contract—

7 (1) the Secretary of Defense has submitted to
8 Congress a budget request for full funding of units
9 to be procured through the contract and, in the case
10 of a contract for procurement of aircraft, that in-
11 cludes, for any aircraft unit to be procured through
12 the contract for which procurement funds are re-
13 quested in that budget request for production be-
14 yond advance procurement activities in the fiscal
15 year covered by the budget, full funding of procure-
16 ment of such unit in that fiscal year;

17 (2) cancellation provisions in the contract do
18 not include consideration of recurring manufacturing
19 costs of the contractor associated with the produc-
20 tion of unfunded units to be delivered under the con-
21 tract;

22 (3) the contract provides that payments to the
23 contractor under the contract shall not be made in
24 advance of incurred costs on funded units; and

1 (4) the contract does not provide for a price ad-
2 justment based on a failure to award a follow-on
3 contract.

4 Funds appropriated in title III of this Act may be used
5 for multiyear procurement contracts for Naval Strike Mis-
6 sile, Guided Multiple Launch Rocket System, PATRIOT
7 Advanced Capability-3 Missile Segment Enhancement,
8 Long Range Anti-Ship Missile, Joint Air-to-Surface
9 Standoff Missile, and USS Virginia Class (SSN-774).

10 SEC. 8011. Within the funds appropriated for the op-
11 eration and maintenance of the Armed Forces, funds are
12 hereby appropriated pursuant to section 401 of title 10,
13 United States Code, for humanitarian and civic assistance
14 costs under chapter 20 of title 10, United States Code:
15 *Provided*, That such funds may also be obligated for hu-
16 manitarian and civic assistance costs incidental to author-
17 ized operations and pursuant to authority granted in sec-
18 tion 401 of title 10, United States Code, and these obliga-
19 tions shall be reported as required by section 401(d) of
20 title 10, United States Code: *Provided further*, That funds
21 available for operation and maintenance shall be available
22 for providing humanitarian and similar assistance by
23 using Civic Action Teams in the Trust Territories of the
24 Pacific Islands and freely associated states of Micronesia,
25 pursuant to the Compact of Free Association as author-

1 ized by Public Law 99–239: *Provided further*, That upon
2 a determination by the Secretary of the Army that such
3 action is beneficial for graduate medical education pro-
4 grams conducted at Army medical facilities located in Ha-
5 waii, the Secretary of the Army may authorize the provi-
6 sion of medical services at such facilities and transpor-
7 tation to such facilities, on a nonreimbursable basis, for
8 civilian patients from American Samoa, the Common-
9 wealth of the Northern Mariana Islands, the Marshall Is-
10 lands, the Federated States of Micronesia, Palau, and
11 Guam.

12 SEC. 8012. None of the funds made available by this
13 Act shall be used in any way, directly or indirectly, to in-
14 fluence congressional action on any legislation or appro-
15 priation matters pending before the Congress.

16 SEC. 8013. None of the funds available in this Act
17 to the Department of Defense, other than appropriations
18 made for necessary or routine refurbishments, upgrades,
19 or maintenance activities, shall be used to reduce or to
20 prepare to reduce the number of deployed and non-de-
21 ployed strategic delivery vehicles and launchers below the
22 levels set forth in the report submitted to Congress in ac-
23 cordance with section 1042 of the National Defense Au-
24 thorization Act for Fiscal Year 2012.

(TRANSFER OF FUNDS)

1
2 SEC. 8014. (a) Funds appropriated in title III of this
3 Act for the Department of Defense Pilot Mentor-Protégé
4 Program may be transferred to any other appropriation
5 contained in this Act solely for the purpose of imple-
6 menting a Mentor-Protégé Program developmental assist-
7 ance agreement pursuant to section 831 of the National
8 Defense Authorization Act for Fiscal Year 1991 (Public
9 Law 101-510; 10 U.S.C. 2302 note), as amended, under
10 the authority of this provision or any other transfer au-
11 thority contained in this Act.

12 (b) The Secretary of Defense shall include with the
13 budget justification documents in support of the budget
14 for fiscal year 2025 (as submitted to Congress pursuant
15 to section 1105 of title 31, United States Code) a descrip-
16 tion of each transfer under this section that occurred dur-
17 ing the last fiscal year before the fiscal year in which such
18 budget is submitted.

19 SEC. 8015. None of the funds in this Act may be
20 available for the purchase by the Department of Defense
21 (and its departments and agencies) of welded shipboard
22 anchor and mooring chain unless the anchor and mooring
23 chain are manufactured in the United States from compo-
24 nents which are substantially manufactured in the United
25 States: *Provided*, That for the purpose of this section, the

1 term “manufactured” shall include cutting, heat treating,
2 quality control, testing of chain and welding (including the
3 forging and shot blasting process): *Provided further*, That
4 for the purpose of this section substantially all of the com-
5 ponents of anchor and mooring chain shall be considered
6 to be produced or manufactured in the United States if
7 the aggregate cost of the components produced or manu-
8 factured in the United States exceeds the aggregate cost
9 of the components produced or manufactured outside the
10 United States: *Provided further*, That when adequate do-
11 mestic supplies are not available to meet Department of
12 Defense requirements on a timely basis, the Secretary of
13 the Service responsible for the procurement may waive this
14 restriction on a case-by-case basis by certifying in writing
15 to the Committees on Appropriations of the House of Rep-
16 resentatives and the Senate that such an acquisition must
17 be made in order to acquire capability for national security
18 purposes.

19 SEC. 8016. None of the funds appropriated by this
20 Act shall be used for the support of any nonappropriated
21 funds activity of the Department of Defense that procures
22 malt beverages and wine with nonappropriated funds for
23 resale (including such alcoholic beverages sold by the
24 drink) on a military installation located in the United
25 States unless such malt beverages and wine are procured

1 within that State, or in the case of the District of Colum-
2 bia, within the District of Columbia, in which the military
3 installation is located: *Provided*, That, in a case in which
4 the military installation is located in more than one State,
5 purchases may be made in any State in which the installa-
6 tion is located: *Provided further*, That such local procure-
7 ment requirements for malt beverages and wine shall
8 apply to all alcoholic beverages only for military installa-
9 tions in States which are not contiguous with another
10 State: *Provided further*, That alcoholic beverages other
11 than wine and malt beverages, in contiguous States and
12 the District of Columbia shall be procured from the most
13 competitive source, price and other factors considered.

14 SEC. 8017. None of the funds available to the De-
15 partment of Defense may be used to demilitarize or dis-
16 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,
17 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or
18 to demilitarize or destroy small arms ammunition or am-
19 muniton components that are not otherwise prohibited
20 from commercial sale under Federal law, unless the small
21 arms ammunition or ammunition components are certified
22 by the Secretary of the Army or designee as unserviceable
23 or unsafe for further use.

24 SEC. 8018. No more than \$500,000 of the funds ap-
25 propriated or made available in this Act shall be used dur-

1 ing a single fiscal year for any single relocation of an orga-
2 nization, unit, activity or function of the Department of
3 Defense into or within the National Capital Region: *Pro-*
4 *vided*, That the Secretary of Defense may waive this re-
5 striction on a case-by-case basis by certifying in writing
6 to the congressional defense committees that such a relo-
7 cation is required in the best interest of the Government.

8 SEC. 8019. In addition to the funds provided else-
9 where in this Act, \$25,000,000 is appropriated only for
10 incentive payments authorized by section 504 of the In-
11 dian Financing Act of 1974 (25 U.S.C. 1544): *Provided*,
12 That a prime contractor or a subcontractor at any tier
13 that makes a subcontract award to any subcontractor or
14 supplier as defined in section 1544 of title 25, United
15 States Code, or a small business owned and controlled by
16 an individual or individuals defined under section 4221(9)
17 of title 25, United States Code, shall be considered a con-
18 tractor for the purposes of being allowed additional com-
19 pensation under section 504 of the Indian Financing Act
20 of 1974 (25 U.S.C. 1544) whenever the prime contract
21 or subcontract amount is over \$500,000 and involves the
22 expenditure of funds appropriated by an Act making ap-
23 propriations for the Department of Defense with respect
24 to any fiscal year: *Provided further*, That notwithstanding
25 section 1906 of title 41, United States Code, this section

1 shall be applicable to any Department of Defense acquisi-
2 tion of supplies or services, including any contract and any
3 subcontract at any tier for acquisition of commercial items
4 produced or manufactured, in whole or in part, by any
5 subcontractor or supplier defined in section 1544 of title
6 25, United States Code, or a small business owned and
7 controlled by an individual or individuals defined under
8 section 4221(9) of title 25, United States Code.

9 SEC. 8020. (a) Notwithstanding any other provision
10 of law, the Secretary of the Air Force may convey at no
11 cost to the Air Force, without consideration, to Indian
12 tribes located in the States of Nevada, Idaho, North Da-
13 kota, South Dakota, Montana, Oregon, Minnesota, and
14 Washington relocatable military housing units located at
15 Grand Forks Air Force Base, Malmstrom Air Force Base,
16 Mountain Home Air Force Base, Ellsworth Air Force
17 Base, and Minot Air Force Base that are excess to the
18 needs of the Air Force.

19 (b) The Secretary of the Air Force shall convey, at
20 no cost to the Air Force, military housing units under sub-
21 section (a) in accordance with the request for such units
22 that are submitted to the Secretary by the Operation
23 Walking Shield Program on behalf of Indian tribes located
24 in the States of Nevada, Idaho, North Dakota, South Da-
25 kota, Montana, Oregon, Minnesota, and Washington. Any

1 such conveyance shall be subject to the condition that the
2 housing units shall be removed within a reasonable period
3 of time, as determined by the Secretary.

4 (c) The Operation Walking Shield Program shall re-
5 solve any conflicts among requests of Indian tribes for
6 housing units under subsection (a) before submitting re-
7 quests to the Secretary of the Air Force under subsection
8 (b).

9 (d) In this section, the term “Indian tribe” means
10 any recognized Indian tribe included on the current list
11 published by the Secretary of the Interior under section
12 104 of the Federally Recognized Indian Tribe Act of 1994
13 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 5131).

14 SEC. 8021. Of the funds appropriated to the Depart-
15 ment of Defense under the heading “Operation and Main-
16 tenance, Defense-Wide”, not less than \$20,000,000 shall
17 be made available only for the mitigation of environmental
18 impacts, including training and technical assistance to
19 tribes, related administrative support, the gathering of in-
20 formation, documenting of environmental damage, and de-
21 veloping a system for prioritization of mitigation and cost
22 to complete estimates for mitigation, on Indian lands re-
23 sulting from Department of Defense activities.

1 SEC. 8022. Funds appropriated by this Act for the
2 Defense Media Activity shall not be used for any national
3 or international political or psychological activities.

4 SEC. 8023. (a) Of the funds made available in this
5 Act, not less than \$68,100,000 shall be available for the
6 Civil Air Patrol Corporation, of which—

7 (1) \$55,100,000 shall be available from “Oper-
8 ation and Maintenance, Air Force” to support Civil
9 Air Patrol Corporation operation and maintenance,
10 readiness, counter-drug activities, and drug demand
11 reduction activities involving youth programs;

12 (2) \$11,000,000 shall be available from “Air-
13 craft Procurement, Air Force”; and

14 (3) \$2,000,000 shall be available from “Other
15 Procurement, Air Force” for vehicle procurement.

16 (b) The Secretary of the Air Force should waive reim-
17 bursement for any funds used by the Civil Air Patrol for
18 counter-drug activities in support of Federal, State, and
19 local government agencies.

20 SEC. 8024. (a) None of the funds appropriated in this
21 Act are available to establish a new Department of De-
22 fense (department) federally funded research and develop-
23 ment center (FFRDC), either as a new entity, or as a
24 separate entity administrated by an organization man-
25 aging another FFRDC, or as a nonprofit membership cor-

1 poration consisting of a consortium of other FFRDCs and
2 other nonprofit entities.

3 (b) No member of a Board of Directors, Trustees,
4 Overseers, Advisory Group, Special Issues Panel, Visiting
5 Committee, or any similar entity of a defense FFRDC,
6 and no paid consultant to any defense FFRDC, except
7 when acting in a technical advisory capacity, may be com-
8 pensated for his or her services as a member of such enti-
9 ty, or as a paid consultant by more than one FFRDC in
10 a fiscal year: *Provided*, That a member of any such entity
11 referred to previously in this subsection shall be allowed
12 travel expenses and per diem as authorized under the Fed-
13 eral Joint Travel Regulations, when engaged in the per-
14 formance of membership duties.

15 (c) Notwithstanding any other provision of law, none
16 of the funds available to the Department from any source
17 during the current fiscal year may be used by a defense
18 FFRDC, through a fee or other payment mechanism, for
19 construction of new buildings not located on a military in-
20 stallation, for payment of cost sharing for projects funded
21 by Government grants, for absorption of contract over-
22 runs, or for certain charitable contributions, not to include
23 employee participation in community service and/or devel-
24 opment.

1 (d) Notwithstanding any other provision of law, of
2 the funds available to the department during fiscal year
3 2024, not more than \$2,885,000,000 may be funded for
4 professional technical staff-related costs of the defense
5 FFRDCs: *Provided*, That within such funds, not more
6 than \$456,803,000 shall be available for the defense stud-
7 ies and analysis FFRDCs: *Provided further*, That this sub-
8 section shall not apply to staff years funded in the Na-
9 tional Intelligence Program and the Military Intelligence
10 Program: *Provided further*, That the Secretary of Defense
11 shall, with the submission of the department's fiscal year
12 2025 budget request, submit a report presenting the spe-
13 cific amounts of staff years of technical effort to be allo-
14 cated for each defense FFRDC by program during that
15 fiscal year and the associated budget estimates, by appro-
16 priation account and program: *Provided further*, That this
17 subsection shall not apply to appropriations for the Na-
18 tional Intelligence Program and Military Intelligence Pro-
19 gram.

20 SEC. 8025. For the purposes of this Act, the term
21 "congressional defense committees" means the Armed
22 Services Committee of the House of Representatives, the
23 Armed Services Committee of the Senate, the Sub-
24 committee on Defense of the Committee on Appropriations
25 of the Senate, and the Subcommittee on Defense of the

1 Committee on Appropriations of the House of Representa-
2 tives.

3 SEC. 8026. For the purposes of this Act, the term
4 “congressional intelligence committees” means the Perma-
5 nent Select Committee on Intelligence of the House of
6 Representatives, the Select Committee on Intelligence of
7 the Senate, the Subcommittee on Defense of the Com-
8 mittee on Appropriations of the House of Representatives,
9 and the Subcommittee on Defense of the Committee on
10 Appropriations of the Senate.

11 SEC. 8027. During the current fiscal year, the De-
12 partment of Defense may acquire the modification, depot
13 maintenance and repair of aircraft, vehicles and vessels
14 as well as the production of components and other De-
15 fense-related articles, through competition between De-
16 partment of Defense depot maintenance activities and pri-
17 vate firms: *Provided*, That the Senior Acquisition Execu-
18 tive of the military department or Defense Agency con-
19 cerned, with power of delegation, shall certify that success-
20 ful bids include comparable estimates of all direct and in-
21 direct costs for both public and private bids: *Provided fur-*
22 *ther*, That Office of Management and Budget Circular A-
23 76 shall not apply to competitions conducted under this
24 section.

1 SEC. 8028. (a) None of the funds appropriated in this
2 Act may be expended by an entity of the Department of
3 Defense unless the entity, in expending the funds, com-
4 plies with the Buy American Act. For purposes of this
5 subsection, the term “Buy American Act” means chapter
6 83 of title 41, United States Code.

7 (b) If the Secretary of Defense determines that a per-
8 son has been convicted of intentionally affixing a label
9 bearing a “Made in America” inscription to any product
10 sold in or shipped to the United States that is not made
11 in America, the Secretary shall determine, in accordance
12 with section 4658 of title 10, United States Code, whether
13 the person should be debarred from contracting with the
14 Department of Defense.

15 (c) In the case of any equipment or products pur-
16 chased with appropriations provided under this Act, it is
17 the sense of the Congress that any entity of the Depart-
18 ment of Defense, in expending the appropriation, purchase
19 only American-made equipment and products, provided
20 that American-made equipment and products are cost-
21 competitive, quality competitive, and available in a timely
22 fashion.

23 SEC. 8029. None of the funds appropriated or made
24 available in this Act shall be used to procure carbon, alloy,
25 or armor steel plate for use in any Government-owned fa-

1 cility or property under the control of the Department of
2 Defense which were not melted and rolled in the United
3 States or Canada: *Provided*, That these procurement re-
4 strictions shall apply to any and all Federal Supply Class
5 9515, American Society of Testing and Materials (ASTM)
6 or American Iron and Steel Institute (AISI) specifications
7 of carbon, alloy or armor steel plate: *Provided further*,
8 That the Secretary of the military department responsible
9 for the procurement may waive this restriction on a case-
10 by-case basis by certifying in writing to the Committees
11 on Appropriations of the House of Representatives and the
12 Senate that adequate domestic supplies are not available
13 to meet Department of Defense requirements on a timely
14 basis and that such an acquisition must be made in order
15 to acquire capability for national security purposes: *Pro-*
16 *vided further*, That these restrictions shall not apply to
17 contracts which are in being as of the date of the enact-
18 ment of this Act.

19 SEC. 8030. (a)(1) If the Secretary of Defense, after
20 consultation with the United States Trade Representative,
21 determines that a foreign country which is party to an
22 agreement described in paragraph (2) has violated the
23 terms of the agreement by discriminating against certain
24 types of products produced in the United States that are
25 covered by the agreement, the Secretary of Defense shall

1 rescind the Secretary’s blanket waiver of the Buy Amer-
2 ican Act with respect to such types of products produced
3 in that foreign country.

4 (2) An agreement referred to in paragraph (1) is any
5 reciprocal defense procurement memorandum of under-
6 standing, between the United States and a foreign country
7 pursuant to which the Secretary of Defense has prospec-
8 tively waived the Buy American Act for certain products
9 in that country.

10 (b) The Secretary of Defense shall submit to the Con-
11 gress a report on the amount of Department of Defense
12 purchases from foreign entities in fiscal year 2024. Such
13 report shall separately indicate the dollar value of items
14 for which the Buy American Act was waived pursuant to
15 any agreement described in subsection (a)(2), the Trade
16 Agreements Act of 1979 (19 U.S.C. 2501 et seq.), or any
17 international agreement to which the United States is a
18 party.

19 (c) For purposes of this section, the term “Buy
20 American Act” means chapter 83 of title 41, United
21 States Code.

22 SEC. 8031. None of the funds appropriated by this
23 Act may be used for the procurement of ball and roller
24 bearings other than those produced by a domestic source
25 and of domestic origin: *Provided*, That the Secretary of

1 the military department responsible for such procurement
2 may waive this restriction on a case-by-case basis by certi-
3 fying in writing to the Committees on Appropriations of
4 the House of Representatives and the Senate, that ade-
5 quate domestic supplies are not available to meet Depart-
6 ment of Defense requirements on a timely basis and that
7 such an acquisition must be made in order to acquire ca-
8 pability for national security purposes: *Provided further*,
9 That this restriction shall not apply to the purchase of
10 “commercial products”, as defined by section 103 of title
11 41, United States Code, except that the restriction shall
12 apply to ball or roller bearings purchased as end items.

13 SEC. 8032. None of the funds in this Act may be
14 used to purchase any supercomputer which is not manu-
15 factured in the United States, unless the Secretary of De-
16 fense certifies to the congressional defense committees
17 that such an acquisition must be made in order to acquire
18 capability for national security purposes that is not avail-
19 able from United States manufacturers.

20 SEC. 8033. (a) The Secretary of Defense may, on a
21 case-by-case basis, waive with respect to a foreign country
22 each limitation on the procurement of defense items from
23 foreign sources provided in law if the Secretary determines
24 that the application of the limitation with respect to that
25 country would invalidate cooperative programs entered

1 into between the Department of Defense and the foreign
2 country, or would invalidate reciprocal trade agreements
3 for the procurement of defense items entered into under
4 section 4851 of title 10, United States Code, and the
5 country does not discriminate against the same or similar
6 defense items produced in the United States for that coun-
7 try.

8 (b) Subsection (a) applies with respect to—

9 (1) contracts and subcontracts entered into on
10 or after the date of the enactment of this Act; and

11 (2) options for the procurement of items that
12 are exercised after such date under contracts that
13 are entered into before such date if the option prices
14 are adjusted for any reason other than the applica-
15 tion of a waiver granted under subsection (a).

16 (c) Subsection (a) does not apply to a limitation re-
17 garding construction of public vessels, ball and roller bear-
18 ings, food, and clothing or textile materials as defined by
19 section XI (chapters 50–65) of the Harmonized Tariff
20 Schedule of the United States and products classified
21 under headings 4010, 4202, 4203, 6401 through 6406,
22 6505, 7019, 7218 through 7229, 7304.41 through
23 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109,
24 8211, 8215, and 9404.

1 SEC. 8034. None of the funds made available in this
2 Act, or any subsequent Act making appropriations for the
3 Department of Defense, may be used for the purchase or
4 manufacture of a flag of the United States unless such
5 flags are treated as covered items under section 4862(b)
6 of title 10, United States Code.

7 SEC. 8035. During the current fiscal year, amounts
8 contained in the Department of Defense Overseas Military
9 Facility Investment Recovery Account shall be available
10 until expended for the payments specified by section
11 2687a(b)(2) of title 10, United States Code.

12 SEC. 8036. During the current fiscal year, appropria-
13 tions which are available to the Department of Defense
14 for operation and maintenance may be used to purchase
15 items having an investment item unit cost of not more
16 than \$350,000: *Provided*, That upon determination by the
17 Secretary of Defense that such action is necessary to meet
18 the operational requirements of a Commander of a Com-
19 batant Command engaged in a named contingency oper-
20 ation overseas, such funds may be used to purchase items
21 having an investment item unit cost of not more than
22 \$500,000.

23 SEC. 8037. Up to \$11,000,000 of the funds appro-
24 priated under the heading “Operation and Maintenance,
25 Navy” may be made available for the Asia Pacific Re-

1 gional Initiative Program for the purpose of enabling the
2 United States Indo-Pacific Command to execute Theater
3 Security Cooperation activities such as humanitarian as-
4 sistance, and payment of incremental and personnel costs
5 of training and exercising with foreign security forces:
6 *Provided*, That funds made available for this purpose may
7 be used, notwithstanding any other funding authorities for
8 humanitarian assistance, security assistance or combined
9 exercise expenses: *Provided further*, That funds may not
10 be obligated to provide assistance to any foreign country
11 that is otherwise prohibited from receiving such type of
12 assistance under any other provision of law.

13 SEC. 8038. The Secretary of Defense shall issue reg-
14 ulations to prohibit the sale of any tobacco or tobacco-
15 related products in military resale outlets in the United
16 States, its territories and possessions at a price below the
17 most competitive price in the local community: *Provided*,
18 That such regulations shall direct that the prices of to-
19 bacco or tobacco-related products in overseas military re-
20 tail outlets shall be within the range of prices established
21 for military retail system stores located in the United
22 States.

23 SEC. 8039. (a) During the current fiscal year, none
24 of the appropriations or funds available to the Department
25 of Defense Working Capital Funds shall be used for the

1 purchase of an investment item for the purpose of acquir-
2 ing a new inventory item for sale or anticipated sale dur-
3 ing the current fiscal year or a subsequent fiscal year to
4 customers of the Department of Defense Working Capital
5 Funds if such an item would not have been chargeable
6 to the Department of Defense Business Operations Fund
7 during fiscal year 1994 and if the purchase of such an
8 investment item would be chargeable during the current
9 fiscal year to appropriations made to the Department of
10 Defense for procurement.

11 (b) The fiscal year 2025 budget request for the De-
12 partment of Defense as well as all justification material
13 and other documentation supporting the fiscal year 2025
14 Department of Defense budget shall be prepared and sub-
15 mitted to the Congress on the basis that any equipment
16 which was classified as an end item and funded in a pro-
17 curement appropriation contained in this Act shall be
18 budgeted for in a proposed fiscal year 2025 procurement
19 appropriation and not in the supply management business
20 area or any other area or category of the Department of
21 Defense Working Capital Funds.

22 SEC. 8040. None of the funds appropriated by this
23 Act for programs of the Central Intelligence Agency shall
24 remain available for obligation beyond the current fiscal
25 year, except for funds appropriated for the Reserve for

1 Contingencies, which shall remain available until Sep-
2 tember 30, 2025: *Provided*, That funds appropriated,
3 transferred, or otherwise credited to the Central Intel-
4 ligence Agency Central Services Working Capital Fund
5 during this or any prior or subsequent fiscal year shall
6 remain available until expended: *Provided further*, That
7 any funds appropriated or transferred to the Central Intel-
8 ligence Agency for advanced research and development ac-
9 quisition, for agent operations, and for covert action pro-
10 grams authorized by the President under section 503 of
11 the National Security Act of 1947 (50 U.S.C. 3093) shall
12 remain available until September 30, 2025: *Provided fur-*
13 *ther*, That any funds appropriated or transferred to the
14 Central Intelligence Agency for the construction, improve-
15 ment, or alteration of facilities, including leased facilities,
16 to be used primarily by personnel of the intelligence com-
17 munity, shall remain available until September 30, 2026.

18 SEC. 8041. (a) Except as provided in subsections (b)
19 and (c), none of the funds made available by this Act may
20 be used—

- 21 (1) to establish a field operating agency; or
- 22 (2) to pay the basic pay of a member of the
23 Armed Forces or civilian employee of the depart-
24 ment who is transferred or reassigned from a head-

1 quarters activity if the member or employee's place
2 of duty remains at the location of that headquarters.

3 (b) The Secretary of Defense or Secretary of a mili-
4 tary department may waive the limitations in subsection
5 (a), on a case-by-case basis, if the Secretary determines,
6 and certifies to the Committees on Appropriations of the
7 House of Representatives and the Senate that the grant-
8 ing of the waiver will reduce the personnel requirements
9 or the financial requirements of the department.

10 (c) This section does not apply to—

11 (1) field operating agencies funded within the
12 National Intelligence Program;

13 (2) an Army field operating agency established
14 to eliminate, mitigate, or counter the effects of im-
15 provised explosive devices, and, as determined by the
16 Secretary of the Army, other similar threats;

17 (3) an Army field operating agency established
18 to improve the effectiveness and efficiencies of bio-
19 metric activities and to integrate common biometric
20 technologies throughout the Department of Defense;
21 or

22 (4) an Air Force field operating agency estab-
23 lished to administer the Air Force Mortuary Affairs
24 Program and Mortuary Operations for the Depart-
25 ment of Defense and authorized Federal entities.

1 SEC. 8042. (a) None of the funds appropriated by
2 this Act shall be available to convert to contractor per-
3 formance an activity or function of the Department of De-
4 fense that, on or after the date of the enactment of this
5 Act, is performed by Department of Defense civilian em-
6 ployees unless—

7 (1) the conversion is based on the result of a
8 public-private competition that includes a most effi-
9 cient and cost effective organization plan developed
10 by such activity or function;

11 (2) the Competitive Sourcing Official deter-
12 mines that, over all performance periods stated in
13 the solicitation of offers for performance of the ac-
14 tivity or function, the cost of performance of the ac-
15 tivity or function by a contractor would be less costly
16 to the Department of Defense by an amount that
17 equals or exceeds the lesser of—

18 (A) 10 percent of the most efficient organi-
19 zation's personnel-related costs for performance
20 of that activity or function by Federal employ-
21 ees; or

22 (B) \$10,000,000; and

23 (3) the contractor does not receive an advan-
24 tage for a proposal that would reduce costs for the
25 Department of Defense by—

1 (A) not making an employer-sponsored
2 health insurance plan available to the workers
3 who are to be employed in the performance of
4 that activity or function under the contract; or

5 (B) offering to such workers an employer-
6 sponsored health benefits plan that requires the
7 employer to contribute less towards the pre-
8 mium or subscription share than the amount
9 that is paid by the Department of Defense for
10 health benefits for civilian employees under
11 chapter 89 of title 5, United States Code.

12 (b)(1) The Department of Defense, without regard
13 to subsection (a) of this section or subsection (a), (b), or
14 (c) of section 2461 of title 10, United States Code, and
15 notwithstanding any administrative regulation, require-
16 ment, or policy to the contrary shall have full authority
17 to enter into a contract for the performance of any com-
18 mercial or industrial type function of the Department of
19 Defense that—

20 (A) is included on the procurement list estab-
21 lished pursuant to section 2 of the Javits-Wagner-
22 O'Day Act (section 8503 of title 41, United States
23 Code);

24 (B) is planned to be converted to performance
25 by a qualified nonprofit agency for the blind or by

1 a qualified nonprofit agency for other severely handi-
2 capped individuals in accordance with that Act; or

3 (C) is planned to be converted to performance
4 by a qualified firm under at least 51 percent owner-
5 ship by an Indian tribe, as defined in section 4(e)
6 of the Indian Self-Determination and Education As-
7 sistance Act (25 U.S.C. 450b(e)), or a Native Ha-
8 waiian Organization, as defined in section 8(a)(15)
9 of the Small Business Act (15 U.S.C. 637(a)(15)).

10 (2) This section shall not apply to depot contracts
11 or contracts for depot maintenance as provided in sections
12 2469 and 2474 of title 10, United States Code.

13 (c) The conversion of any activity or function of the
14 Department of Defense under the authority provided by
15 this section shall be credited toward any competitive or
16 outsourcing goal, target, or measurement that may be es-
17 tablished by statute, regulation, or policy and is deemed
18 to be awarded under the authority of, and in compliance
19 with, subsection (h) of section 2304 of title 10, United
20 States Code, for the competition or outsourcing of com-
21 mercial activities.

22 (RESCISSIONS)

23 SEC. 8043. Of the funds appropriated in Department
24 of Defense Appropriations Acts, the following funds are
25 hereby rescinded from the following accounts and pro-

1 grams in the specified amounts: *Provided*, That no
2 amounts may be rescinded from amounts that were des-
3 ignated by the Congress as an emergency requirement
4 pursuant to a concurrent resolution on the budget or the
5 Balanced Budget and Emergency Deficit Control Act of
6 1985:

7 “Missile Procurement, Army”, 2022/2024,
8 \$9,093,000;

9 “Procurement of Weapons and Tracked Combat
10 Vehicles, Army”, 2022/2024, \$1,900,000;

11 “Other Procurement, Army”, 2022/2024,
12 \$44,681,000;

13 “Aircraft Procurement, Navy”, 2022/2024,
14 \$1,428,000;

15 “Weapons Procurement, Navy”, 2022/2024,
16 \$13,058,000;

17 “Procurement of Ammunition, Navy and Ma-
18 rine Corps”, 2022/2024, \$1,012,000;

19 “Other Procurement, Navy”, 2022/2024,
20 \$2,975,000;

21 “Cooperative Threat Reduction Account”,
22 2022/2024, \$75,000,000;

23 “Operation and Maintenance, Defense-Wide”,
24 2023/2024, \$75,000,000;

1 “Counter-ISIS Train and Equip Fund”, 2023/
2 2024, \$50,000,000;

3 “Other Procurement, Army”, 2023/2025,
4 \$4,066,000;

5 “Aircraft Procurement, Navy”, 2023/2025,
6 \$10,033,000;

7 “Weapons Procurement, Navy”, 2023/2025,
8 \$53,139,000;

9 “Other Procurement, Navy”, 2023/2025,
10 \$1,550,000;

11 “Procurement, Marine Corps”, 2023/2025,
12 \$155,304,000;

13 “Other Procurement, Air Force”, 2023/2025,
14 \$45,000,000;

15 “Procurement, Defense-Wide”, 2023/2025,
16 \$32,148,000;

17 “Research, Development, Test and Evaluation,
18 Air Force”, 2023/2024, \$29,300,000;

19 “Army Working Capital Fund”, XXXX/XXXX,
20 \$100,000,000; and

21 “Navy Working Capital Fund”, XXXX/XXXX,
22 \$100,000,000.

23 SEC. 8044. None of the funds available in this Act
24 may be used to reduce the authorized positions for mili-
25 tary technicians (dual status) of the Army National

1 Guard, Air National Guard, Army Reserve and Air Force
2 Reserve for the purpose of applying any administratively
3 imposed civilian personnel ceiling, freeze, or reduction on
4 military technicians (dual status), unless such reductions
5 are a direct result of a reduction in military force struc-
6 ture.

7 SEC. 8045. None of the funds appropriated or other-
8 wise made available in this Act may be obligated or ex-
9 pended for assistance to the Democratic People's Republic
10 of Korea unless specifically appropriated for that purpose:
11 *Provided*, That this restriction shall not apply to any ac-
12 tivities incidental to the Defense POW/MIA Accounting
13 Agency mission to recover and identify the remains of
14 United States Armed Forces personnel from the Demo-
15 cratic People's Republic of Korea.

16 SEC. 8046. Funds appropriated in this Act for oper-
17 ation and maintenance of the Military Departments, Com-
18 batant Commands and Defense Agencies shall be available
19 for reimbursement of pay, allowances and other expenses
20 which would otherwise be incurred against appropriations
21 for the National Guard and Reserve when members of the
22 National Guard and Reserve provide intelligence or coun-
23 terintelligence support to Combatant Commands, Defense
24 Agencies and Joint Intelligence Activities, including the
25 activities and programs included within the National Intel-

1 ligence Program and the Military Intelligence Program:
2 *Provided*, That nothing in this section authorizes deviation
3 from established Reserve and National Guard personnel
4 and training procedures.

5 SEC. 8047. (a) None of the funds available to the
6 Department of Defense for any fiscal year for drug inter-
7 diction or counter-drug activities may be transferred to
8 any other department or agency of the United States ex-
9 cept as specifically provided in an appropriations law.

10 (b) None of the funds available to the Central Intel-
11 ligence Agency for any fiscal year for drug interdiction or
12 counter-drug activities may be transferred to any other de-
13 partment or agency of the United States except as specifi-
14 cally provided in an appropriations law.

15 SEC. 8048. In addition to the amounts appropriated
16 or otherwise made available elsewhere in this Act,
17 \$49,000,000 is hereby appropriated to the Department of
18 Defense: *Provided*, That upon the determination of the
19 Secretary of Defense that it shall serve the national inter-
20 est, the Secretary shall make grants in the amounts speci-
21 fied as follows: \$24,000,000 to the United Service Organi-
22 zations and \$25,000,000 to the Red Cross: *Provided fur-*
23 *ther*, That none of the funds appropriated or otherwise
24 made available by this section may be used to encourage,

1 guide, or otherwise assist in migration towards the United
2 States southwest border.

3 SEC. 8049. Notwithstanding any other provision in
4 this Act, the Small Business Innovation Research program
5 and the Small Business Technology Transfer program set-
6 asides shall be taken proportionally from all programs,
7 projects, or activities to the extent they contribute to the
8 extramural budget. The Secretary of each military depart-
9 ment, the Director of each Defense Agency, and the head
10 of each other relevant component of the Department of
11 Defense shall submit to the congressional defense commit-
12 tees, concurrent with submission of the budget justifica-
13 tion documents to Congress pursuant to section 1105 of
14 title 31, United States Code, a report with a detailed ac-
15 counting of the Small Business Innovation Research pro-
16 gram and the Small Business Technology Transfer pro-
17 gram set-asides taken from programs, projects, or activi-
18 ties within such department, agency, or component during
19 the most recently completed fiscal year.

20 SEC. 8050. None of the funds available to the De-
21 partment of Defense under this Act shall be obligated or
22 expended to pay a contractor under a contract with the
23 Department of Defense for costs of any amount paid by
24 the contractor to an employee when—

1 (1) such costs are for a bonus or otherwise in
2 excess of the normal salary paid by the contractor
3 to the employee; and

4 (2) such bonus is part of restructuring costs as-
5 sociated with a business combination.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 8051. During the current fiscal year, no more
8 than \$30,000,000 of appropriations made in this Act
9 under the heading “Operation and Maintenance, Defense-
10 Wide” may be transferred to appropriations available for
11 the pay of military personnel, to be merged with, and to
12 be available for the same time period as the appropriations
13 to which transferred, to be used in support of such per-
14 sonnel in connection with support and services for eligible
15 organizations and activities outside the Department of De-
16 fense pursuant to section 2012 of title 10, United States
17 Code.

18 SEC. 8052. (a) Notwithstanding any other provision
19 of law, the Chief of the National Guard Bureau may per-
20 mit the use of equipment of the National Guard Distance
21 Learning Project by any person or entity on a space-avail-
22 able, reimbursable basis. The Chief of the National Guard
23 Bureau shall establish the amount of reimbursement for
24 such use on a case-by-case basis.

1 (b) Amounts collected under subsection (a) shall be
2 credited to funds available for the National Guard Dis-
3 tance Learning Project and be available to defray the costs
4 associated with the use of equipment of the project under
5 that subsection. Such funds shall be available for such
6 purposes without fiscal year limitation.

7 SEC. 8053. (a) None of the funds appropriated or
8 otherwise made available by this or prior Acts may be obli-
9 gated or expended to retire, prepare to retire, or place in
10 storage or on backup aircraft inventory status any C-40
11 aircraft.

12 (b) The limitation under subsection (a) shall not
13 apply to an individual C-40 aircraft that the Secretary
14 of the Air Force determines, on a case-by-case basis, to
15 be no longer mission capable due to a Class A mishap.

16 (c) If the Secretary determines under subsection (b)
17 that an aircraft is no longer mission capable, the Secretary
18 shall submit to the congressional defense committees a
19 certification in writing that the status of such aircraft is
20 due to a Class A mishap and not due to lack of mainte-
21 nance, repairs, or other reasons.

22 (d) Not later than 90 days after the date of the enact-
23 ment of this Act, the Secretary of Defense shall submit
24 to the congressional defense committees a report on the
25 necessary steps taken by the Department of Defense to

1 meet the travel requirements for official or representa-
2 tional duties of members of Congress and the Cabinet in
3 fiscal years 2024 and 2025.

4 SEC. 8054. (a) None of the funds appropriated in
5 title IV of this Act may be used to procure end-items for
6 delivery to military forces for operational training, oper-
7 ational use, or inventory requirements: *Provided*, That this
8 restriction does not apply to end-items used in develop-
9 ment, prototyping in accordance with an approved test
10 strategy, and test activities preceding and leading to ac-
11 ceptance for operational use.

12 (b) If the number of end-items budgeted with funds
13 appropriated in title IV of this Act exceeds the number
14 required in an approved test strategy, the Under Secretary
15 of Defense (Research and Engineering) and the Under
16 Secretary of Defense (Acquisition and Sustainment), in
17 coordination with the responsible Service Acquisition Ex-
18 ecutive, shall certify in writing to the congressional de-
19 fense committees that there is a bonafide need for the ad-
20 ditional end-items at the time of submittal to Congress
21 of the budget of the President for fiscal year 2025 pursu-
22 ant to section 1105 of title 31, United States Code: *Pro-*
23 *vided*, That this restriction does not apply to programs
24 funded within the National Intelligence Program.

1 (c) The Secretary of Defense shall, at the time of the
2 submittal to Congress of the budget of the President for
3 fiscal year 2025 pursuant to section 1105 of title 31,
4 United States Code, submit to the congressional defense
5 committees a report detailing the use of funds requested
6 in research, development, test and evaluation accounts for
7 end-items used in development, prototyping and test ac-
8 tivities preceding and leading to acceptance for operational
9 use: *Provided*, That the report shall set forth, for each
10 end item covered by the preceding proviso, a detailed list
11 of the statutory authorities under which amounts in the
12 accounts described in that proviso were used for such item:
13 *Provided further*, That the Secretary of Defense shall, at
14 the time of the submittal to Congress of the budget of
15 the President for fiscal year 2025 pursuant to section
16 1105 of title 31, United States Code, submit to the con-
17 gressional defense committees a certification that funds
18 requested for fiscal year 2025 in research, development,
19 test and evaluation accounts are in compliance with this
20 section: *Provided further*, That the Secretary of Defense
21 may waive this restriction on a case-by-case basis by certi-
22 fying in writing to the Committees on Appropriations of
23 the House of Representatives and the Senate that it is
24 in the national security interest to do so.

1 SEC. 8055. None of the funds appropriated or other-
2 wise made available by this or other Department of De-
3 fense Appropriations Acts may be obligated or expended
4 for the purpose of performing repairs or maintenance to
5 military family housing units of the Department of De-
6 fense, including areas in such military family housing
7 units that may be used for the purpose of conducting offi-
8 cial Department of Defense business.

9 SEC. 8056. Notwithstanding any other provision of
10 law, funds appropriated in this Act under the heading
11 “Research, Development, Test and Evaluation, Defense-
12 Wide” for any new start defense innovation acceleration
13 or rapid prototyping program demonstration project with
14 a value of more than \$5,000,000 may only be obligated
15 15 days after a report, including a description of the
16 project, the planned acquisition and transition strategy
17 and its estimated annual and total cost, has been provided
18 in writing to the congressional defense committees: *Pro-*
19 *vided*, That the Secretary of Defense may waive this re-
20 striction on a case-by-case basis by certifying to the con-
21 gressional defense committees that it is in the national in-
22 terest to do so.

23 SEC. 8057. The Secretary of Defense shall continue
24 to provide a classified quarterly report to the Committees
25 on Appropriations of the House of Representatives and the

1 Senate, Subcommittees on Defense on certain matters as
2 directed in the classified annex accompanying this Act.

3 SEC. 8058. Notwithstanding section 12310(b) of title
4 10, United States Code, a servicemember who is a member
5 of the National Guard serving on full-time National Guard
6 duty under section 502(f) of title 32, United States Code,
7 may perform duties in support of the ground-based ele-
8 ments of the National Ballistic Missile Defense System.

9 SEC. 8059. None of the funds provided in this Act
10 may be used to transfer to any nongovernmental entity
11 ammunition held by the Department of Defense that has
12 a center-fire cartridge and a United States military no-
13 menclature designation of “armor penetrator”, “armor
14 piercing (AP)”, “armor piercing incendiary (API)”, or
15 “armor-piercing incendiary tracer (API-T)”, except to an
16 entity performing demilitarization services for the Depart-
17 ment of Defense under a contract that requires the entity
18 to demonstrate to the satisfaction of the Department of
19 Defense that armor piercing projectiles are either: (1) ren-
20 dered incapable of reuse by the demilitarization process;
21 or (2) used to manufacture ammunition pursuant to a con-
22 tract with the Department of Defense or the manufacture
23 of ammunition for export pursuant to a License for Per-
24 manent Export of Unclassified Military Articles issued by
25 the Department of State.

1 SEC. 8060. Notwithstanding any other provision of
2 law, the Chief of the National Guard Bureau, or their des-
3 ignee, may waive payment of all or part of the consider-
4 ation that otherwise would be required under section 2667
5 of title 10, United States Code, in the case of a lease of
6 personal property for a period not in excess of 1 year to
7 any organization specified in section 508(d) of title 32,
8 United States Code, or any other youth, social, or fra-
9 ternal nonprofit organization as may be approved by the
10 Chief of the National Guard Bureau, or their designee,
11 on a case-by-case basis.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8061. Of the amounts appropriated in this Act
14 under the heading “Operation and Maintenance, Army”,
15 \$175,943,968 shall remain available until expended: *Pro-*
16 *vided*, That, notwithstanding any other provision of law,
17 the Secretary of Defense is authorized to transfer such
18 funds to other activities of the Federal Government: *Pro-*
19 *vided further*, That the Secretary of Defense is authorized
20 to enter into and carry out contracts for the acquisition
21 of real property, construction, personal services, and oper-
22 ations related to projects carrying out the purposes of this
23 section: *Provided further*, That contracts entered into
24 under the authority of this section may provide for such
25 indemnification as the Secretary determines to be nec-

1 essary: *Provided further*, That projects authorized by this
2 section shall comply with applicable Federal, State, and
3 local law to the maximum extent consistent with the na-
4 tional security, as determined by the Secretary of Defense.

5 SEC. 8062. (a) None of the funds appropriated in this
6 or any other Act may be used to take any action to mod-
7 ify—

8 (1) the appropriations account structure for the
9 National Intelligence Program budget, including
10 through the creation of a new appropriation or new
11 appropriation account;

12 (2) how the National Intelligence Program
13 budget request is presented in the unclassified P–1,
14 R–1, and O–1 documents supporting the Depart-
15 ment of Defense budget request;

16 (3) the process by which the National Intel-
17 ligence Program appropriations are apportioned to
18 the executing agencies; or

19 (4) the process by which the National Intel-
20 ligence Program appropriations are allotted, obli-
21 gated and disbursed.

22 (b) Nothing in subsection (a) shall be construed to
23 prohibit the merger of programs or changes to the Na-
24 tional Intelligence Program budget at or below the Ex-

1 penditure Center level, provided such change is otherwise
2 in accordance with paragraphs (1)–(3) of subsection (a).

3 (c) The Director of National Intelligence and the Sec-
4 retary of Defense may jointly, only for the purposes of
5 achieving auditable financial statements and improving
6 fiscal reporting, study and develop detailed proposals for
7 alternative financial management processes. Such study
8 shall include a comprehensive counterintelligence risk as-
9 sessment to ensure that none of the alternative processes
10 will adversely affect counterintelligence.

11 (d) Upon development of the detailed proposals de-
12 fined under subsection (c), the Director of National Intel-
13 ligence and the Secretary of Defense shall—

14 (1) provide the proposed alternatives to all af-
15 fected agencies;

16 (2) receive certification from all affected agen-
17 cies attesting that the proposed alternatives will help
18 achieve auditability, improve fiscal reporting, and
19 will not adversely affect counterintelligence; and

20 (3) not later than 30 days after receiving all
21 necessary certifications under paragraph (2), present
22 the proposed alternatives and certifications to the
23 congressional defense and intelligence committees.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8063. During the current fiscal year, not to ex-
3 ceed \$11,000,000 from each of the appropriations made
4 in title II of this Act for “Operation and Maintenance,
5 Army”, “Operation and Maintenance, Navy”, and “Oper-
6 ation and Maintenance, Air Force” may be transferred by
7 the military department concerned to its central fund es-
8 tablished for Fisher Houses and Suites pursuant to sec-
9 tion 2493(d) of title 10, United States Code.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 8064. In addition to amounts provided else-
12 where in this Act, \$5,000,000 is hereby appropriated to
13 the Department of Defense, to remain available for obliga-
14 tion until expended: *Provided*, That notwithstanding any
15 other provision of law, that upon the determination of the
16 Secretary of Defense that it shall serve the national inter-
17 est, these funds shall be available only for a grant to the
18 Fisher House Foundation, Inc., only for the construction
19 and furnishing of additional Fisher Houses to meet the
20 needs of military family members when confronted with
21 the illness or hospitalization of an eligible military bene-
22 ficiary.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 8065. Of the amounts appropriated for “Oper-
25 ation and Maintenance, Navy”, up to \$1,000,000 shall be

1 available for transfer to the John C. Stennis Center for
2 Public Service Development Trust Fund established under
3 section 116 of the John C. Stennis Center for Public Serv-
4 ice Training and Development Act (2 U.S.C. 1105).

5 SEC. 8066. None of the funds available to the De-
6 partment of Defense may be obligated to modify command
7 and control relationships to give Fleet Forces Command
8 operational and administrative control of United States
9 Navy forces assigned to the Pacific fleet: *Provided*, That
10 the command and control relationships which existed on
11 October 1, 2004, shall remain in force until a written
12 modification has been proposed to the Committees on Ap-
13 propriations of the House of Representatives and the Sen-
14 ate: *Provided further*, That the proposed modification may
15 be implemented 30 days after the notification unless an
16 objection is received from either the House or Senate Ap-
17 propriations Committees: *Provided further*, That any pro-
18 posed modification shall not preclude the ability of the
19 commander of United States Indo-Pacific Command to
20 meet operational requirements.

21 SEC. 8067. Any notice that is required to be sub-
22 mitted to the Committees on Appropriations of the House
23 of Representatives and the Senate under section 3601 of
24 title 10, United States Code, as added by section 804(a)
25 of the James M. Inhofe National Defense Authorization

1 Act for Fiscal Year 2023, after the date of the enactment
2 of this Act shall be submitted pursuant to that require-
3 ment concurrently to the Subcommittees on Defense of the
4 Committees on Appropriations of the House of Represent-
5 atives and the Senate.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 8068. Of the amounts appropriated in this Act
8 under the headings “Procurement, Defense-Wide” and
9 “Research, Development, Test and Evaluation, Defense-
10 Wide”, \$500,000,000 shall be for the Israeli Cooperative
11 Programs: *Provided*, That of this amount, \$80,000,000
12 shall be for the Secretary of Defense to provide to the Gov-
13 ernment of Israel for the procurement of the Iron Dome
14 defense system to counter short-range rocket threats, sub-
15 ject to the U.S.-Israel Iron Dome Procurement Agree-
16 ment, as amended; \$127,000,000 shall be for the Short
17 Range Ballistic Missile Defense (SRBMD) program, in-
18 cluding cruise missile defense research and development
19 under the SRBMD program; \$40,000,000 shall be for co-
20 production activities of SRBMD systems in the United
21 States and in Israel to meet Israel’s defense requirements
22 consistent with each nation’s laws, regulations, and proce-
23 dures, subject to the U.S.-Israeli co-production agreement
24 for SRBMD, as amended; \$80,000,000 shall be for an
25 upper-tier component to the Israeli Missile Defense Archi-

1 tecture, of which \$80,000,000 shall be for co-production
2 activities of Arrow 3 Upper Tier systems in the United
3 States and in Israel to meet Israel’s defense requirements
4 consistent with each nation’s laws, regulations, and proce-
5 dures, subject to the U.S.-Israeli co-production agreement
6 for Arrow 3 Upper Tier, as amended; and \$173,000,000
7 shall be for the Arrow System Improvement Program in-
8 cluding development of a long range, ground and airborne,
9 detection suite: *Provided further*, That the transfer author-
10 ity provided under this provision is in addition to any
11 other transfer authority contained in this Act.

12 SEC. 8069. Of the amounts appropriated in this Act
13 under the heading “Shipbuilding and Conversion, Navy”,
14 \$1,648,559,000 shall be available until September 30,
15 2024, to fund prior year shipbuilding cost increases for
16 the following programs:

17 (1) Under the heading “Shipbuilding and Con-
18 version, Navy”, 2013/2024: Carrier Replacement
19 Program, \$624,600,000;

20 (2) Under the heading “Shipbuilding and Con-
21 version, Navy”, 2015/2024: Virginia Class Sub-
22 marine Program, \$43,419,000;

23 (3) Under the heading “Shipbuilding and Con-
24 version, Navy”, 2016/2024: Virginia Class Sub-
25 marine Program, \$100,115,000;

1 (4) Under the heading “Shipbuilding and Con-
2 version, Navy”, 2016/2024: DDG–51 Destroyer,
3 \$104,090,000;

4 (5) Under the heading “Shipbuilding and Con-
5 version, Navy”, 2017/2024: Virginia Class Sub-
6 marine Program, \$24,646,000;

7 (6) Under the heading “Shipbuilding and Con-
8 version, Navy”, 2017/2024: DDG–51 Destroyer,
9 \$121,827,000;

10 (7) Under the heading “Shipbuilding and Con-
11 version, Navy”, 2017/2024: LPD–17, \$16,520,000;

12 (8) Under the heading “Shipbuilding and Con-
13 version, Navy”, 2018/2024: Ship to Shore Connector
14 Program, \$43,600,000;

15 (9) Under the heading “Shipbuilding and Con-
16 version, Navy”, 2019/2024: Littoral Combat Ship,
17 \$23,000,000;

18 (10) Under the heading “Shipbuilding and Con-
19 version, Navy”, 2019/2024: TAO Fleet Oiler,
20 \$27,060,000;

21 (11) Under the heading “Shipbuilding and Con-
22 version, Navy”, 2020/2024: CVN Refueling Over-
23 hauls, \$42,422,000;

1 (12) Under the heading “Shipbuilding and Con-
2 version, Navy”, 2020/2024: TAO Fleet Oiler,
3 \$93,250,000;

4 (13) Under the heading “Shipbuilding and Con-
5 version, Navy”, 2020/2024: Towing, Salvage, and
6 Rescue Ship Program, \$1,150,000;

7 (14) Under the heading “Shipbuilding and Con-
8 version, Navy”, 2021/2024: Towing, Salvage, and
9 Rescue Ship Program, \$21,809,000;

10 (15) Under the heading “Shipbuilding and Con-
11 version, Navy”, 2022/2024: TAO Fleet Oiler,
12 \$2,585,000;

13 (16) Under the heading “Shipbuilding and Con-
14 version, Navy”, 2022/2024: Towing, Salvage, and
15 Rescue Ship Program, \$3,300,000; and

16 (17) Under the heading “Shipbuilding and Con-
17 version, Navy”, 2022/2024: T-AGOS Surtass Ships
18 Program, \$355,166,000.

19 SEC. 8070. Funds appropriated by this Act for intel-
20 ligence and intelligence-related activities are deemed to be
21 specifically authorized by the Congress for purposes of sec-
22 tion 504(a)(1) of the National Security Act of 1947 (50
23 U.S.C. 3094(a)(1)) until the enactment of the Intelligence
24 Authorization Act for Fiscal Year 2024.

1 SEC. 8071. None of the funds provided in this Act
2 shall be available for obligation or expenditure through a
3 reprogramming of funds that creates or initiates a new
4 program, project, or activity unless such program, project,
5 or activity must be undertaken immediately in the interest
6 of national security and only after written prior notifica-
7 tion to the congressional defense committees.

8 SEC. 8072. None of the funds in this Act may be
9 used for research, development, test, evaluation, procure-
10 ment or deployment of nuclear armed interceptors of a
11 missile defense system.

12 SEC. 8073. None of the funds made available by this
13 Act may be obligated or expended for the purpose of de-
14 commissioning any Littoral Combat Ship, the USS *Ger-*
15 *mantown*, or the USS *Tortuga*.

16 SEC. 8074. For purposes of section 1553(b) of title
17 31, United States Code, any subdivision of appropriations
18 made in this Act under the heading “Shipbuilding and
19 Conversion, Navy” shall be considered to be for the same
20 purpose as any subdivision under the heading “Ship-
21 building and Conversion, Navy” appropriations in any
22 prior fiscal year, and the 1 percent limitation shall apply
23 to the total amount of the appropriation.

24 SEC. 8075. None of the funds appropriated or made
25 available in this Act shall be used to reduce or disestablish

1 the operation of the 53rd Weather Reconnaissance Squad-
2 ron of the Air Force Reserve, if such action would reduce
3 the WC-130 Weather Reconnaissance mission below the
4 levels funded in this Act: *Provided*, That the Air Force
5 shall allow the 53rd Weather Reconnaissance Squadron to
6 perform other missions in support of national defense re-
7 quirements during the non-hurricane season.

8 SEC. 8076. (a) None of the funds appropriated by
9 this Act may be used to transfer research and develop-
10 ment, acquisition, or other program authority relating to
11 current tactical unmanned aerial vehicles (TUAVs) from
12 the Army.

13 (b) The Army shall retain responsibility for and oper-
14 ational control of the MQ-1C Gray Eagle Unmanned Aer-
15 ial Vehicle (UAV) in order to support the Secretary of De-
16 fense in matters relating to the employment of unmanned
17 aerial vehicles.

18 SEC. 8077. None of the funds provided in this Act
19 shall be available for integration of foreign intelligence in-
20 formation unless the information has been lawfully col-
21 lected and processed during the conduct of authorized for-
22 eign intelligence activities: *Provided*, That information
23 pertaining to United States persons shall only be handled
24 in accordance with protections provided in the Fourth

1 Amendment of the United States Constitution as imple-
2 mented through Executive Order No. 12333.

3 SEC. 8078. None of the funds appropriated by this
4 Act for programs of the Office of the Director of National
5 Intelligence shall remain available for obligation beyond
6 the current fiscal year, except for funds appropriated for
7 research and technology, which shall remain available until
8 September 30, 2025, and except for funds appropriated
9 for the purchase of real property, which shall remain avail-
10 able until September 30, 2026.

11 SEC. 8079. (a) Not later than 60 days after the date
12 of enactment of this Act, the Director of National Intel-
13 ligence shall submit a report to the congressional intel-
14 ligence committees to establish the baseline for application
15 of reprogramming and transfer authorities for fiscal year
16 2024: *Provided*, That the report shall include—

17 (1) a table for each appropriation with a sepa-
18 rate column to display the President’s budget re-
19 quest, adjustments made by Congress, adjustments
20 due to enacted rescissions, if appropriate, and the
21 fiscal year enacted level;

22 (2) a delineation in the table for each appro-
23 priation by Expenditure Center and project; and

24 (3) an identification of items of special congres-
25 sional interest.

1 (b) None of the funds provided for the National Intel-
2 ligence Program in this Act shall be available for re-
3 programming or transfer until the report identified in sub-
4 section (a) is submitted to the congressional intelligence
5 committees, unless the Director of National Intelligence
6 certifies in writing to the congressional intelligence com-
7 mittees that such reprogramming or transfer is necessary
8 as an emergency requirement.

9 SEC. 8080. (a) None of the funds provided for the
10 National Intelligence Program in this or any prior appro-
11 priations Act shall be available for obligation or expendi-
12 ture through a reprogramming or transfer of funds in ac-
13 cordance with section 102A(d) of the National Security
14 Act of 1947 (50 U.S.C. 3024(d)) that—

15 (1) creates a new start effort;

16 (2) terminates a program with appropriated
17 funding of \$10,000,000 or more;

18 (3) transfers funding into or out of the Na-
19 tional Intelligence Program; or

20 (4) transfers funding between appropriations,
21 unless the congressional intelligence committees are
22 notified 30 days in advance of such reprogramming
23 of funds; this notification period may be reduced for
24 urgent national security requirements.

1 (b) None of the funds provided for the National Intel-
2 ligence Program in this or any prior appropriations Act
3 shall be available for obligation or expenditure through a
4 reprogramming or transfer of funds in accordance with
5 section 102A(d) of the National Security Act of 1947 (50
6 U.S.C. 3024(d)) that results in a cumulative increase or
7 decrease of the levels specified in the classified annex ac-
8 companying the Act unless the congressional intelligence
9 committees are notified 30 days in advance of such re-
10 programming of funds; this notification period may be re-
11 duced for urgent national security requirements.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8081. Upon a determination by the Director of
14 National Intelligence that such action is necessary and in
15 the national interest, the Director may, with the approval
16 of the Office of Management and Budget, transfer not to
17 exceed \$1,500,000,000 of the funds made available in this
18 Act for the National Intelligence Program: *Provided*, That
19 such authority to transfer may not be used unless for
20 higher priority items, based on unforeseen intelligence re-
21 quirements, than those for which originally appropriated
22 and in no case where the item for which funds are re-
23 quested has been denied by the Congress: *Provided further*,
24 That a request for multiple reprogrammings of funds

1 using authority provided in this section shall be made
2 prior to June 30, 2024.

3 SEC. 8082. Any transfer of amounts appropriated to
4 the Department of Defense Acquisition Workforce Devel-
5 opment Account in or for fiscal year 2024 to a military
6 department or Defense Agency pursuant to section
7 1705(e)(1) of title 10, United States Code, shall be cov-
8 ered by and subject to section 8005 of this Act.

9 SEC. 8083. (a) None of the funds appropriated or
10 otherwise made available by this Act may be expended for
11 any Federal contract for an amount in excess of
12 \$1,000,000, unless the contractor agrees not to—

13 (1) enter into any agreement with any of its
14 employees or independent contractors that requires,
15 as a condition of employment, that the employee or
16 independent contractor agree to resolve through ar-
17 bitration any claim under title VII of the Civil
18 Rights Act of 1964 or any tort related to or arising
19 out of sexual assault or harassment, including as-
20 sault and battery, intentional infliction of emotional
21 distress, false imprisonment, or negligent hiring, su-
22 pervision, or retention; or

23 (2) take any action to enforce any provision of
24 an existing agreement with an employee or inde-
25 pendent contractor that mandates that the employee

1 or independent contractor resolve through arbitra-
2 tion any claim under title VII of the Civil Rights Act
3 of 1964 or any tort related to or arising out of sex-
4 ual assault or harassment, including assault and
5 battery, intentional infliction of emotional distress,
6 false imprisonment, or negligent hiring, supervision,
7 or retention.

8 (b) None of the funds appropriated or otherwise
9 made available by this Act may be expended for any Fed-
10 eral contract unless the contractor certifies that it requires
11 each covered subcontractor to agree not to enter into, and
12 not to take any action to enforce any provision of, any
13 agreement as described in paragraphs (1) and (2) of sub-
14 section (a), with respect to any employee or independent
15 contractor performing work related to such subcontract.
16 For purposes of this subsection, a “covered subcon-
17 tractor” is an entity that has a subcontract in excess of
18 \$1,000,000 on a contract subject to subsection (a).

19 (c) The prohibitions in this section do not apply with
20 respect to a contractor’s or subcontractor’s agreements
21 with employees or independent contractors that may not
22 be enforced in a court of the United States.

23 (d) The Secretary of Defense may waive the applica-
24 tion of subsection (a) or (b) to a particular contractor or
25 subcontractor for the purposes of a particular contract or

1 subcontract if the Secretary or the Deputy Secretary per-
2 sonally determines that the waiver is necessary to avoid
3 harm to national security interests of the United States,
4 and that the term of the contract or subcontract is not
5 longer than necessary to avoid such harm. The determina-
6 tion shall set forth with specificity the grounds for the
7 waiver and for the contract or subcontract term selected,
8 and shall state any alternatives considered in lieu of a
9 waiver and the reasons each such alternative would not
10 avoid harm to national security interests of the United
11 States. The Secretary of Defense shall transmit to Con-
12 gress, and simultaneously make public, any determination
13 under this subsection not less than 15 business days be-
14 fore the contract or subcontract addressed in the deter-
15 mination may be awarded.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 8084. From within the funds appropriated for
18 operation and maintenance for the Defense Health Pro-
19 gram in this Act, up to \$172,000,000, shall be available
20 for transfer to the Joint Department of Defense-Depart-
21 ment of Veterans Affairs Medical Facility Demonstration
22 Fund in accordance with the provisions of section 1704
23 of the National Defense Authorization Act for Fiscal Year
24 2010, Public Law 111-84: *Provided*, That for purposes
25 of section 1704(b), the facility operations funded are oper-

1 ations of the integrated Captain James A. Lovell Federal
2 Health Care Center, consisting of the North Chicago Vet-
3 erans Affairs Medical Center, the Navy Ambulatory Care
4 Center, and supporting facilities designated as a combined
5 Federal medical facility as described by section 706 of
6 Public Law 110–417: *Provided further*, That additional
7 funds may be transferred from funds appropriated for op-
8 eration and maintenance for the Defense Health Program
9 to the Joint Department of Defense-Department of Vet-
10 erans Affairs Medical Facility Demonstration Fund upon
11 written notification by the Secretary of Defense to the
12 Committees on Appropriations of the House of Represent-
13 atives and the Senate.

14 SEC. 8085. None of the funds appropriated or other-
15 wise made available by this Act may be used by the De-
16 partment of Defense or a component thereof in contraven-
17 tion of the provisions of section 130h of title 10, United
18 States Code.

19 SEC. 8086. Appropriations available to the Depart-
20 ment of Defense may be used for the purchase of heavy
21 and light armored vehicles for the physical security of per-
22 sonnel or for force protection purposes up to a limit of
23 \$450,000 per vehicle, notwithstanding price or other limi-
24 tations applicable to the purchase of passenger carrying
25 vehicles.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8087. Of the amounts appropriated in this Act
3 for “Shipbuilding and Conversion, Navy”, \$142,008,000,
4 to remain available for obligation until September 30,
5 2028, may be used for the purchase of two used sealift
6 vessels for the National Defense Reserve Fleet, established
7 under section 11 of the Merchant Ship Sales Act of 1946
8 (46 U.S.C. 57100): *Provided*, That such amounts are
9 available for reimbursements to the Ready Reserve Force,
10 Maritime Administration account of the United States De-
11 partment of Transportation for programs, projects, activi-
12 ties, and expenses related to the National Defense Reserve
13 Fleet: *Provided further*, That notwithstanding section
14 2218 of title 10, United States Code, none of these funds
15 shall be transferred to the National Defense Sealift Fund
16 for execution.

17 SEC. 8088. (a) Any agency receiving funds made
18 available in this Act, shall, subject to subsections (b) and
19 (c), post on the public Web site of that agency any report
20 required to be submitted by the Congress in this or any
21 other Act, upon the determination by the head of the agen-
22 cy that it shall serve the national interest.

23 (b) Subsection (a) shall not apply to a report if—

24 (1) the public posting of the report com-
25 promises national security; or

1 (2) the report contains proprietary information.

2 (c) The head of the agency posting such report shall
3 do so only after such report has been made available to
4 the requesting Committee or Committees of Congress for
5 no less than 45 days.

6 SEC. 8089. The Secretary of Defense shall post grant
7 awards on a public website in a searchable format.

8 SEC. 8090. None of the funds made available by this
9 Act may be used by the National Security Agency to—

10 (1) conduct an acquisition pursuant to section
11 702 of the Foreign Intelligence Surveillance Act of
12 1978 for the purpose of targeting a United States
13 person; or

14 (2) acquire, monitor, or store the contents (as
15 such term is defined in section 2510(8) of title 18,
16 United States Code) of any electronic communica-
17 tion of a United States person from a provider of
18 electronic communication services to the public pur-
19 suant to section 501 of the Foreign Intelligence Sur-
20 veillance Act of 1978.

21 SEC. 8091. None of the funds made available in this
22 or any other Act may be used to pay the salary of any
23 officer or employee of any agency funded by this Act who
24 approves or implements the transfer of administrative re-
25 sponsibilities or budgetary resources of any program,

1 project, or activity financed by this Act to the jurisdiction
2 of another Federal agency not financed by this Act with-
3 out the express authorization of Congress: *Provided*, That
4 this limitation shall not apply to transfers of funds ex-
5 pressly provided for in Defense Appropriations Acts, or
6 provisions of Acts providing supplemental appropriations
7 for the Department of Defense.

8 SEC. 8092. Of the amounts appropriated in this Act
9 for “Operation and Maintenance, Navy”, \$667,508,000,
10 to remain available until expended, may be used for any
11 purposes related to the National Defense Reserve Fleet
12 established under section 11 of the Merchant Ship Sales
13 Act of 1946 (46 U.S.C. 57100): *Provided*, That such
14 amounts are available for reimbursements to the Ready
15 Reserve Force, Maritime Administration account of the
16 United States Department of Transportation for pro-
17 grams, projects, activities, and expenses related to the Na-
18 tional Defense Reserve Fleet.

19 SEC. 8093. (a) None of the funds provided in this
20 Act for the TAO Fleet Oiler program shall be used to
21 award a new contract that provides for the acquisition of
22 the following components unless those components are
23 manufactured in the United States: Auxiliary equipment
24 (including pumps) for shipboard services; propulsion
25 equipment (including engines, reduction gears, and propel-

1 lers); shipboard cranes; spreaders for shipboard cranes;
2 and anchor chains, specifically for the seventh and subse-
3 quent ships of the fleet.

4 (b) None of the funds provided in this Act for the
5 FFG(X) Frigate program shall be used to award a new
6 contract that provides for the acquisition of the following
7 components unless those components are manufactured in
8 the United States: Air circuit breakers; gyrocompasses;
9 electronic navigation chart systems; steering controls;
10 pumps; propulsion and machinery control systems; totally
11 enclosed lifeboats; auxiliary equipment pumps; shipboard
12 cranes; auxiliary chill water systems; and propulsion pro-
13 pellers: *Provided*, That the Secretary of the Navy shall in-
14 corporate United States manufactured propulsion engines
15 and propulsion reduction gears into the FFG(X) Frigate
16 program beginning not later than with the eleventh ship
17 of the program.

18 SEC. 8094. None of the funds provided in this Act
19 for requirements development, performance specification
20 development, concept design and development, ship con-
21 figuration development, systems engineering, naval archi-
22 tecture, marine engineering, operations research analysis,
23 industry studies, preliminary design, development of the
24 Detailed Design and Construction Request for Proposals
25 solicitation package, or related activities for the T-

1 ARC(X) Cable Laying and Repair Ship or the T-
2 AGOS(X) Oceanographic Surveillance Ship may be used
3 to award a new contract for such activities unless these
4 contracts include specifications that all auxiliary equip-
5 ment, including pumps and propulsion shafts, are manu-
6 factured in the United States.

7 SEC. 8095. No amounts credited or otherwise made
8 available in this or any other Act to the Department of
9 Defense Acquisition Workforce Development Account may
10 be transferred to:

11 (1) the Rapid Prototyping Fund established
12 under section 804(d) of the National Defense Au-
13 thorization Act for Fiscal Year 2016 (10 U.S.C.
14 2302 note); or

15 (2) credited to a military-department specific
16 fund established under section 804(d)(2) of the Na-
17 tional Defense Authorization Act for Fiscal Year
18 2016 (as amended by section 897 of the National
19 Defense Authorization Act for Fiscal Year 2017).

20 SEC. 8096. From funds made available in title II of
21 this Act, the Secretary of Defense may purchase for use
22 by military and civilian employees of the Department of
23 Defense in the United States Central Command area of
24 responsibility: (1) passenger motor vehicles up to a limit
25 of \$75,000 per vehicle; and (2) heavy and light armored

1 vehicles for the physical security of personnel or for force
2 protection purposes up to a limit of \$450,000 per vehicle,
3 notwithstanding price or other limitations applicable to the
4 purchase of passenger carrying vehicles.

5 SEC. 8097. None of the funds made available by this
6 Act may be used for Government Travel Charge Card ex-
7 penses by military or civilian personnel of the Department
8 of Defense for gaming, or for entertainment that includes
9 topless or nude entertainers or participants, as prohibited
10 by Department of Defense FMR, Volume 9, Chapter 3
11 and Department of Defense Instruction 1015.10 (enclo-
12 sure 3, 14a and 14b).

13 SEC. 8098. (a) None of the funds made available in
14 this Act may be used to maintain or establish a computer
15 network unless such network is designed to block access
16 to pornography websites.

17 (b) Nothing in subsection (a) shall limit the use of
18 funds necessary for any Federal, State, tribal, or local law
19 enforcement agency or any other entity carrying out crimi-
20 nal investigations, prosecution, or adjudication activities,
21 or for any activity necessary for the national defense, in-
22 cluding intelligence activities.

23 SEC. 8099. None of the funds provided for, or other-
24 wise made available, in this or any other Act, may be obli-
25 gated or expended by the Secretary of Defense to provide

1 motorized vehicles, aviation platforms, munitions other
2 than small arms and munitions appropriate for customary
3 ceremonial honors, operational military units, or oper-
4 ational military platforms if the Secretary determines that
5 providing such units, platforms, or equipment would un-
6 dermine the readiness of such units, platforms, or equip-
7 ment.

8 SEC. 8100. (a) None of the funds made available by
9 this or any other Act may be used to enter into a contract,
10 memorandum of understanding, or cooperative agreement
11 with, make a grant to, or provide a loan or loan guarantee
12 to any corporation that has any unpaid Federal tax liabil-
13 ity that has been assessed, for which all judicial and ad-
14 ministrative remedies have been exhausted or have lapsed,
15 and that is not being paid in a timely manner pursuant
16 to an agreement with the authority responsible for col-
17 lecting such tax liability, provided that the applicable Fed-
18 eral agency is aware of the unpaid Federal tax liability.

19 (b) Subsection (a) shall not apply if the applicable
20 Federal agency has considered suspension or debarment
21 of the corporation described in such subsection and has
22 made a determination that such suspension or debarment
23 is not necessary to protect the interests of the Federal
24 Government.

1 SEC. 8101. Amounts appropriated under title IV of
2 this Act, as detailed in budget activity eight of the “Expla-
3 nation of Project Level Adjustments” tables in the explan-
4 atory statement regarding this Act, may be used for ex-
5 penses for the agile research, development, test and eval-
6 uation, procurement, production, modification, and oper-
7 ation and maintenance, only for the following Software
8 and Digital Technology Pilot programs—

- 9 (1) Defensive CYBER (PE 0608041A);
10 (2) Risk Management Information (PE
11 0608013N);
12 (3) Maritime Tactical Command and Control
13 (PE 0608231N);
14 (4) Space Command and Control (PE
15 1208248SF);
16 (5) Global Command and Control System (PE
17 0303150K);
18 (6) Acquisition Visibility (PE 0608648D8Z);
19 and
20 (7) Defense Innovation Unit Fielding
21 (RDTE,DW Line 281).

22 SEC. 8102. None of the funds appropriated or other-
23 wise made available by this Act may be used to transfer
24 the National Reconnaissance Office to the Space Force:
25 *Provided*, That nothing in this Act shall be construed to

1 limit or prohibit cooperation, collaboration, and coordina-
2 tion between the National Reconnaissance Office and the
3 Space Force or any other elements of the Department of
4 Defense.

5 SEC. 8103. None of the funds made available in this
6 Act may be used in contravention of the following laws
7 enacted or regulations promulgated to implement the
8 United Nations Convention Against Torture and Other
9 Cruel, Inhuman or Degrading Treatment or Punishment
10 (done at New York on December 10, 1984):

11 (1) Section 2340A of title 18, United States
12 Code.

13 (2) Section 2242 of the Foreign Affairs Reform
14 and Restructuring Act of 1998 (division G of Public
15 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
16 note) and regulations prescribed thereto, including
17 regulations under part 208 of title 8, Code of Fed-
18 eral Regulations, and part 95 of title 22, Code of
19 Federal Regulations.

20 (3) Sections 1002 and 1003 of the Department
21 of Defense, Emergency Supplemental Appropriations
22 to Address Hurricanes in the Gulf of Mexico, and
23 Pandemic Influenza Act, 2006 (Public Law 109–
24 148).

1 SEC. 8104. Of the amounts appropriated in this Act
2 under the heading “Operation and Maintenance, Defense-
3 Wide”, for the Defense Security Cooperation Agency,
4 \$300,000,000, to remain available until September 30,
5 2025, shall be for the Ukraine Security Assistance Initia-
6 tive: *Provided*, That such funds shall be available to the
7 Secretary of Defense, with the concurrence of the Sec-
8 retary of State, to provide assistance, including training;
9 equipment; lethal assistance; logistics support, supplies
10 and services; salaries and stipends; sustainment; and intel-
11 ligence support to the military and national security forces
12 of Ukraine, and to other forces or groups recognized by
13 and under the authority of the Government of Ukraine,
14 including governmental entities within Ukraine, engaged
15 in resisting Russian aggression against Ukraine, for re-
16 placement of any weapons or articles provided to the Gov-
17 ernment of Ukraine from the inventory of the United
18 States, and to recover or dispose of equipment procured
19 using funds made available in this section in this or prior
20 Acts: *Provided further*, That the Secretary of Defense
21 shall, not less than 15 days prior to obligating funds made
22 available in this section, notify the congressional defense
23 committees in writing of the details of any such obligation:
24 *Provided further*, That the Secretary of Defense shall, not
25 more than 60 days after such notification is made, inform

1 such committees if such funds have not been obligated and
2 the reasons therefor: *Provided further*, That the Secretary
3 of Defense shall consult with such committees in advance
4 of the provision of support provided to other forces or
5 groups recognized by and under the authority of the Gov-
6 ernment of Ukraine: *Provided further*, That the United
7 States may accept equipment procured using funds made
8 available in this section in this or prior Acts transferred
9 to the security forces of Ukraine and returned by such
10 forces to the United States: *Provided further*, That equip-
11 ment procured using funds made available in this section
12 in this or prior Acts, and not yet transferred to the mili-
13 tary or national security forces of Ukraine or to other as-
14 sisted entities, or returned by such forces or other assisted
15 entities to the United States, may be treated as stocks
16 of the Department of Defense upon written notification
17 to the congressional defense committees: *Provided further*,
18 That any notification of funds made available in this sec-
19 tion in this or prior Acts shall specify whether such funds
20 support ongoing or new programs, the duration and ex-
21 pected cost over the life of each program, a timeline for
22 the delivery of defense articles and defense services, and
23 any equipment that requires enhanced end-use moni-
24 toring: *Provided further*, That the Secretary of Defense
25 shall provide quarterly reports to the congressional de-

1 fense committees on the use and status of funds made
2 available in this section.

3 SEC. 8105. None of the funds made available by this
4 Act may be used to provide arms, training, or other assist-
5 ance to the Azov Battalion.

6 SEC. 8106. During the current fiscal year, the De-
7 partment of Defense is authorized to incur obligations of
8 not to exceed \$350,000,000 for purposes specified in sec-
9 tion 2350j(c) of title 10, United States Code, in anticipa-
10 tion of receipt of contributions, only from the Government
11 of Kuwait, under that section: *Provided*, That, such con-
12 tributions shall, upon receipt, be credited to the appropria-
13 tions or fund which incurred such obligations.

14 SEC. 8107. Of the amounts appropriated in this Act
15 under the heading “Operation and Maintenance, Defense-
16 Wide”, for the Defense Security Cooperation Agency,
17 \$1,343,580,000, to remain available until September 30,
18 2025, shall be available for International Security Co-
19 operation Programs and other programs to provide sup-
20 port and assistance to foreign security forces or other
21 groups or individuals to conduct, support or facilitate
22 counterterrorism, crisis response, or building partner ca-
23 pacity programs: *Provided*, That the Secretary of Defense
24 shall, not less than 15 days prior to obligating funds made
25 available in this section, notify the congressional defense

1 committees in writing of the details of any planned obliga-
2 tion: *Provided further*, That the Secretary of Defense shall
3 provide quarterly reports to the Committees on Appropria-
4 tions of the House of Representatives and the Senate on
5 the use and status of funds made available in this section.

6 SEC. 8108. Of the amounts appropriated in this Act
7 under the heading “Operation and Maintenance, Defense-
8 Wide”, for the Defense Security Cooperation Agency,
9 \$410,000,000, to remain available until September 30,
10 2025, shall be available to reimburse Jordan, Lebanon,
11 Egypt, Tunisia, and Oman under section 1226 of the Na-
12 tional Defense Authorization Act for Fiscal Year 2016 (22
13 U.S.C. 2151 note), for enhanced border security, of which
14 not less than \$150,000,000 shall be for Jordan: *Provided*,
15 That the Secretary of Defense shall, not less than 15 days
16 prior to obligating funds made available in this section,
17 notify the congressional defense committees in writing of
18 the details of any planned obligation and the nature of
19 the expenses incurred: *Provided further*, That the Sec-
20 retary of Defense shall provide quarterly reports to the
21 Committees on Appropriations of the House of Represent-
22 atives and the Senate on the use and status of funds made
23 available in this section.

1 SEC. 8109. None of the funds made available by this
2 Act may be used in contravention of the War Powers Res-
3 olution (50 U.S.C. 1541 et seq.).

4 SEC. 8110. None of the funds made available by this
5 Act for excess defense articles, assistance under section
6 333 of title 10, United States Code, or peacekeeping oper-
7 ations for the countries designated annually to be in viola-
8 tion of the standards of the Child Soldiers Prevention Act
9 of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1) may
10 be used to support any military training or operation that
11 includes child soldiers, as defined by the Child Soldiers
12 Prevention Act of 2008, unless such assistance is other-
13 wise permitted under section 404 of the Child Soldiers
14 Prevention Act of 2008.

15 SEC. 8111. None of the funds made available by this
16 Act may be made available for any member of the Taliban.

17 SEC. 8112. Notwithstanding any other provision of
18 law, any transfer of funds, appropriated or otherwise made
19 available by this Act, for support to friendly foreign coun-
20 tries in connection with the conduct of operations in which
21 the United States is not participating, pursuant to section
22 331(d) of title 10, United States Code, shall be made in
23 accordance with section 8005 of this Act.

24 SEC. 8113. (a) None of the funds appropriated or
25 otherwise made available by this or any other Act may

1 be used by the Secretary of Defense, or any other official
2 or officer of the Department of Defense, to enter into a
3 contract, memorandum of understanding, or cooperative
4 agreement with, or make a grant to, or provide a loan
5 or loan guarantee to Rosoboronexport or any subsidiary
6 of Rosoboronexport.

7 (b) The Secretary of Defense may waive the limita-
8 tion in subsection (a) if the Secretary, in consultation with
9 the Secretary of State and the Director of National Intel-
10 ligence, determines that it is in the vital national security
11 interest of the United States to do so, and certifies in writ-
12 ing to the congressional defense committees that—

13 (1) Rosoboronexport has ceased the transfer of
14 lethal military equipment to, and the maintenance of
15 existing lethal military equipment for, the Govern-
16 ment of the Syrian Arab Republic;

17 (2) the armed forces of the Russian Federation
18 have withdrawn from Ukraine; and

19 (3) agents of the Russian Federation have
20 ceased taking active measures to destabilize the con-
21 trol of the Government of Ukraine over eastern
22 Ukraine.

23 (c) The Inspector General of the Department of De-
24 fense shall conduct a review of any action involving
25 Rosoboronexport with respect to a waiver issued by the

1 Secretary of Defense pursuant to subsection (b), and not
2 later than 90 days after the date on which such a waiver
3 is issued by the Secretary of Defense, the Inspector Gen-
4 eral shall submit to the congressional defense committees
5 a report containing the results of the review conducted
6 with respect to such waiver.

7 SEC. 8114. Of the amounts appropriated in this Act
8 under the heading “Operation and Maintenance, Defense-
9 Wide”, for the Defense Security Cooperation Agency,
10 \$15,000,000, to remain available until September 30,
11 2025, shall be for payments to reimburse key cooperating
12 nations for logistical, military, and other support, includ-
13 ing access, provided to United States military and stability
14 operations to counter the Islamic State of Iraq and Syria:
15 *Provided*, That such reimbursement payments may be
16 made in such amounts as the Secretary of Defense, with
17 the concurrence of the Secretary of State, and in consulta-
18 tion with the Director of the Office of Management and
19 Budget, may determine, based on documentation deter-
20 mined by the Secretary of Defense to adequately account
21 for the support provided, and such determination is final
22 and conclusive upon the accounting officers of the United
23 States, and 15 days following written notification to the
24 appropriate congressional committees: *Provided further*,
25 That these funds may be used for the purpose of providing

1 specialized training and procuring supplies and specialized
2 equipment and providing such supplies and loaning such
3 equipment on a non-reimbursable basis to coalition forces
4 supporting United States military and stability operations
5 to counter the Islamic State of Iraq and Syria, and 15
6 days following written notification to the appropriate con-
7 gressional committees: *Provided further*, That the Sec-
8 retary of Defense shall provide quarterly reports to the
9 Committees on Appropriations of the House of Represent-
10 atives and the Senate on the use and status of funds made
11 available in this section.

12 SEC. 8115. The Secretary of Defense shall notify the
13 congressional defense committees in writing not more than
14 30 days after the receipt of any contribution of funds re-
15 ceived from the government of a foreign country for any
16 purpose relating to the stationing or operations of the
17 United States Armed Forces: *Provided*, That such notifi-
18 cation shall include the amount of the contribution; the
19 purpose for which such contribution was made; and the
20 authority under which such contribution was accepted by
21 the Secretary of Defense: *Provided further*, That not fewer
22 than 15 days prior to obligating such funds, the Secretary
23 of Defense shall submit to the congressional defense com-
24 mittees in writing a notification of the planned use of such
25 contributions, including whether such contributions would

1 support existing or new stationing or operations of the
2 United States Armed Forces.

3 SEC. 8116. (a) The Chairman of the Joint Chiefs,
4 in coordination with the Secretaries of the military depart-
5 ments and the Chiefs of the Armed Forces, shall submit
6 to the congressional defense committees, not later than 30
7 days after the last day of each quarter of the fiscal year,
8 a report on the use of operation and maintenance funds
9 for activities or exercises in excess of \$5,000,000 that have
10 been designated by the Secretary of Defense as unplanned
11 activities for fiscal year 2024.

12 (b) Each report required by subsection (a) shall also
13 include—

14 (1) the title, date, and location, of each activity
15 and exercise covered by the report;

16 (2) an identification of the military department
17 and units that participated in each such activity or
18 exercise (including an estimate of the number of
19 participants);

20 (3) the total cost of the activity or exercise, by
21 budget line item (with a breakdown by cost element
22 such as transportation); and

23 (4) a short explanation of the objective of the
24 activity or exercise.

1 (c) The report required by subsection (a) shall be
2 submitted in unclassified form, but may include a classi-
3 fied annex.

4 SEC. 8117. Not later than 15 days after the date on
5 which any foreign base that involves the stationing or op-
6 erations of the United States Armed Forces, including a
7 temporary base, permanent base, or base owned and oper-
8 ated by a foreign country, is opened or closed, the Sec-
9 retary of Defense shall notify the congressional defense
10 committees in writing of the opening or closing of such
11 base: *Provided*, That such notification shall also include
12 information on any personnel changes, costs, and savings
13 associated with the opening or closing of such base.

14 SEC. 8118. None of the funds made available by this
15 Act may be used with respect to Iraq in contravention of
16 the War Powers Resolution (50 U.S.C. 1541 et seq.), in-
17 cluding for the introduction of United States Armed
18 Forces into hostilities in Iraq, into situations in Iraq
19 where imminent involvement in hostilities is clearly indi-
20 cated by the circumstances, or into Iraqi territory, air-
21 space, or waters while equipped for combat, in contraven-
22 tion of the congressional consultation and reporting re-
23 quirements of sections 3 and 4 of such Resolution (50
24 U.S.C. 1542 and 1543).

1 SEC. 8119. None of the funds made available by this
2 Act may be used with respect to Syria in contravention
3 of the War Powers Resolution (50 U.S.C. 1541 et seq.),
4 including for the introduction of United States armed or
5 military forces into hostilities in Syria, into situations in
6 Syria where imminent involvement in hostilities is clearly
7 indicated by the circumstances, or into Syrian territory,
8 airspace, or waters while equipped for combat, in con-
9 travention of the congressional consultation and reporting
10 requirements of sections 3 and 4 of that law (50 U.S.C.
11 1542 and 1543).

12 SEC. 8120. None of the funds appropriated or other-
13 wise made available by this or any other Act shall be obli-
14 gated or expended by the United States Government for
15 a purpose as follows:

16 (1) To establish any military installation or
17 base for the purpose of providing for the permanent
18 stationing of United States Armed Forces in Iraq.

19 (2) To exercise United States control over any
20 oil resource of Iraq or Syria.

21 SEC. 8121. None of the funds made available by this
22 Act under the heading “Counter-ISIS Train and Equip
23 Fund”, and under the heading “Operation and Mainte-
24 nance, Defense-Wide” for Department of Defense security

1 cooperation grant programs, may be used to procure or
2 transfer man-portable air defense systems.

3 SEC. 8122. Up to \$500,000,000 of funds appro-
4 priated by this Act for the Defense Security Cooperation
5 Agency in “Operation and Maintenance, Defense-Wide”
6 may be used to provide assistance to the Government of
7 Jordan to support the armed forces of Jordan and to en-
8 hance security along its borders.

9 SEC. 8123. Not later than 180 days after the date
10 of the enactment of this Act, United States Southern
11 Command shall assume combatant command responsi-
12 bility for activities related to Mexico.

13 SEC. 8124. None of the funds appropriated or other-
14 wise made available in this or any other Act may be used
15 to transfer, release, or assist in the transfer or release to
16 or within the United States, its territories, or possessions
17 Khalid Sheikh Mohammed or any other detainee who—

18 (1) is not a United States citizen or a member
19 of the Armed Forces of the United States; and

20 (2) is or was held on or after June 24, 2009,
21 at United States Naval Station, Guantánamo Bay,
22 Cuba, by the Department of Defense.

23 SEC. 8125. None of the funds appropriated or other-
24 wise made available in this Act may be used to transfer
25 any individual detained at United States Naval Station

1 Guantánamo Bay, Cuba, to the custody or control of the
2 individual's country of origin, any other foreign country,
3 or any other foreign entity except in accordance with sec-
4 tion 1034 of the National Defense Authorization Act for
5 Fiscal Year 2016 (Public Law 114–92) and section 1035
6 of the John S. McCain National Defense Authorization
7 Act for Fiscal Year 2019 (Public Law 115–232).

8 SEC. 8126. (a) None of the funds appropriated or
9 otherwise made available in this or any other Act may be
10 used to construct, acquire, or modify any facility in the
11 United States, its territories, or possessions to house any
12 individual described in subsection (c) for the purposes of
13 detention or imprisonment in the custody or under the ef-
14 fective control of the Department of Defense.

15 (b) The prohibition in subsection (a) shall not apply
16 to any modification of facilities at United States Naval
17 Station, Guantánamo Bay, Cuba.

18 (c) An individual described in this subsection is any
19 individual who, as of June 24, 2009, is located at United
20 States Naval Station, Guantánamo Bay, Cuba, and who—

21 (1) is not a citizen of the United States or a
22 member of the Armed Forces of the United States;
23 and

24 (2) is—

1 (A) in the custody or under the effective
2 control of the Department of Defense; or

3 (B) otherwise under detention at United
4 States Naval Station, Guantánamo Bay, Cuba.

5 SEC. 8127. None of the funds made available by this
6 Act may be used to carry out the closure or realignment
7 of the United States Naval Station, Guantánamo Bay,
8 Cuba.

9 SEC. 8128. Notwithstanding any other provision of
10 this Act, to reflect savings due to favorable foreign ex-
11 change rates, the total amount appropriated in this Act
12 is hereby reduced by \$950,000,000.

13 SEC. 8129. In carrying out the program described in
14 the memorandum on the subject of “Policy for Assisted
15 Reproductive Services for the Benefit of Seriously or Se-
16 verely Ill/Injured (Category II or III) Active Duty Service
17 Members” issued by the Assistant Secretary of Defense
18 for Health Affairs on April 3, 2012, and the guidance
19 issued to implement such memorandum, the Secretary of
20 Defense shall apply such policy and guidance, except
21 that—

22 (1) the limitation on periods regarding embryo
23 cryopreservation and storage set forth in part III(G)
24 and in part IV(H) of such memorandum shall not
25 apply; and

1 (2) the term “assisted reproductive technology”
2 shall include embryo cryopreservation and storage
3 without limitation on the duration of such
4 cryopreservation and storage.

5 SEC. 8130. None of the funds appropriated or other-
6 wise made available by this Act may be made used to sup-
7 port, directly or indirectly, the Wuhan Institute of Virol-
8 ogy, or any laboratory owned or controlled by the govern-
9 ments of the People’s Republic of China, the Republic of
10 Cuba, the Islamic Republic of Iran, the Democratic Peo-
11 ple’s Republic of Korea, the Russian Federation, the
12 Bolivarian Republic of Venezuela under the Maduro re-
13 gime, or any other country determined by the Secretary
14 of Defense, with the concurrence of the Secretary of State,
15 to be a foreign adversary.

16 SEC. 8131. None of the funds made available by this
17 Act may be used to fund any work to be performed by
18 EcoHealth Alliance, Inc. in China on research supported
19 by the government of China unless the Secretary of De-
20 fense determines that a waiver to such prohibition is in
21 the national security interests of the United States and,
22 not later than 14 days after granting such a waiver, sub-
23 mits to the congressional defense committees a detailed
24 justification for the waiver, including—

1 (1) an identification of the Department of De-
2 fense entity obligating or expending the funds;

3 (2) an identification of the amount of such
4 funds;

5 (3) an identification of the intended purpose of
6 such funds;

7 (4) an identification of the recipient or prospec-
8 tive recipient of such funds (including any third-
9 party entity recipient, as applicable);

10 (5) an explanation for how the waiver is in the
11 national security interests of the United States; and

12 (6) any other information the Secretary deter-
13 mines appropriate.

14 SEC. 8132. The Secretary of the Navy shall continue
15 to provide pay and allowances to Lieutenant Ridge
16 Alkonis, United States Navy, until such time as the Sec-
17 retary of the Navy makes a determination with respect
18 to the separation of Lieutenant Alkonis from the Navy.

19 SEC. 8133. The Secretary of Defense may obligate
20 funds made available in this Act for procurement or for
21 research, development, test and evaluation for the F-35
22 Joint Strike Fighter to modify up to six F-35 aircraft,
23 including up to two F-35 aircraft of each variant, to a
24 test configuration: *Provided*, That the Secretary of De-
25 fense shall, with the concurrence of the Secretary of the

1 Air Force and the Secretary of the Navy, notify the con-
2 gressional defense committees not fewer than 30 days
3 prior to obligating funds under this section: *Provided fur-*
4 *ther*, That any transfer of funds pursuant to the authority
5 provided in this section shall be made in accordance with
6 section 8005 of this Act.

7 SEC. 8134. None of the funds appropriated or other-
8 wise made available by this or any other Act may be obli-
9 gated to integrate an alternative engine on any F-35 air-
10 craft.

11 SEC. 8135. Funds appropriated in title III of this Act
12 may be used to enter into a contract or contracts for the
13 procurement of airframes and engines for the CH-53K
14 heavy lift helicopter program.

15 SEC. 8136. (a) Within 45 days of enactment of this
16 Act, the Secretary of Defense shall allocate amounts made
17 available from the Creating Helpful Incentives to Produce
18 Semiconductors (CHIPS) for America Defense Fund for
19 fiscal year 2024 pursuant to the transfer authority in sec-
20 tion 102(b)(1) of the CHIPS Act of 2022 (division A of
21 Public Law 117-167), to the account specified, in the
22 amounts specified, and for the projects and activities spec-
23 ified, in the table titled “Department of Defense Alloca-
24 tion of Funds: CHIPS and Science Act Fiscal Year 2024”
25 in the report accompanying this Act.

1 (b) Neither the President nor his designee may allo-
2 cate any amounts that are made available for any fiscal
3 year under section 102(b)(2) of the CHIPS Act of 2022
4 if there is in effect an Act making or continuing appro-
5 priations for part of a fiscal year for the Department of
6 Defense: *Provided*, That in any fiscal year, the matter pre-
7 ceding this proviso shall not apply to the allocation, appor-
8 tionment, or allotment of amounts for continuing adminis-
9 tration of programs allocated using funds transferred from
10 the CHIPS for America Defense Fund, which may be allo-
11 cated pursuant to the transfer authority in section
12 102(b)(1) of the CHIPS Act of 2022 only in amounts that
13 are no more than the allocation for such purposes in sub-
14 section (a) of this section.

15 (c) The Secretary of Defense may reallocate funds
16 allocated by subsection (a) of this section, subject to the
17 terms and conditions contained in the provisos in section
18 8005 of this Act: *Provided*, That amounts may be reallo-
19 cated pursuant to this subsection only for those require-
20 ments necessary to carry out section 9903(b) of the Wil-
21 liam M. (Mac) Thornberry National Defense Authoriza-
22 tion Act for Fiscal Year 2021 (Public Law 116-283).

23 (d) Concurrent with the annual budget submission of
24 the President for fiscal year 2025, the Secretary of De-
25 fense shall submit to the Committees on Appropriations

1 of the House of Representatives and the Senate proposed
2 allocations by account and by program, project, or activity,
3 with detailed justifications, for amounts made available
4 under section 102(b)(2) of the CHIPS Act of 2022 for
5 fiscal year 2025.

6 (e) The Department of Defense shall provide the
7 Committees on Appropriations of the House of Represent-
8 atives and Senate quarterly reports on the status of bal-
9 ances of projects and activities funded by the CHIPS for
10 America Defense Fund for amounts allocated pursuant to
11 subsection (a) of this section, including all uncommitted,
12 committed, and unobligated funds.

13 SEC. 8137. Of the amounts appropriated in this Act
14 under the heading “Research, Development, Test and
15 Evaluation, Defense-Wide” for the Office of Strategic
16 Capital, \$99,000,000, to remain available until September
17 30, 2028, shall be available for the cost of loans and loan
18 guarantees: *Provided*, That such costs, including the cost
19 of modifying such loans, shall be as defined in section 502
20 of the Congressional Budget Act of 1974.

21 SEC. 8138. In addition to the amounts appropriated
22 or otherwise made available by this Act, \$800,000,000 is
23 hereby appropriated to the Department of Defense to as-
24 sist with increasing pay for certain enlisted grades: *Pro-*
25 *vided*, That the Secretary of Defense shall change the fol-

1 lowing cells in the military monthly basic pay table that
2 was effective as of January 1, 2023 to the following: E-
3 1 with greater than four months in service to \$2,600.60,
4 E-2 to \$2,799.20, E-3 with less than three years of service
5 to \$2,900.90, E-3 with three years of service to \$2,950.60,
6 E-3 with four years of service to \$3,000.60, E-3 with six
7 or more years of service to \$3,050.60, E-4 with less than
8 two years of service to \$3,010.50, E-4 with two years of
9 service to \$3,060.60, E-4 with three years of service to
10 \$3,100.10, E-4 with four years of service to \$3,150.80,
11 E-4 with six years of service to \$3,210.30, E-4 with eight
12 or more years of service to \$3,260.30, E-5 with less than
13 two years of service to \$3,100.30, E-5 with two years of
14 service to \$3,150.20, E-5 with three years of service to
15 \$3,200.20, E-5 with four years of service to \$3,250.20,
16 E-6 with less than two years of service to \$3,210: *Provided*
17 *further*, That the 5.2 percent increase in pay in the fiscal
18 year 2024 budget request for all grades is in addition to
19 the changes identified in this section.

20 SEC. 8139. None of the funds appropriated or other-
21 wise made available by this Act may be used to release
22 information described in paragraph C4.2.2.5.2 of DoD
23 5400.11-R regarding a current or former member of the
24 Armed Forces to any non-Federal entity or person without
25 the consent of such member or former member or, if the

1 member or former member is deceased, the consent of the
2 next of kin of such member or former member or a legally
3 authorized representative of the estate of such member or
4 former member, unless such information is requested
5 under section 552 of title 5 (commonly referred to as the
6 “Freedom of Information Act”) and such information is
7 not exempt from disclosure under such section: *Provided*,
8 That if such information is requested under such section,
9 the releasing authority shall notify the member or former
10 member who is the subject of the request or, if the mem-
11 ber or former member is deceased, the next of kin of such
12 member or former member, or a legally authorized rep-
13 resentative of the estate of such member or former mem-
14 ber, prior to the release of such information: *Provided fur-*
15 *ther*, That this section shall not apply to a request for such
16 information from a State or local law enforcement agency.

17 SEC. 8140. None of the funds appropriated or other-
18 wise made available by this Act may be obligated or ex-
19 pended for acquisition, construction, installation, or leas-
20 ing of temporary or permanent public works, military in-
21 stallations, facilities, and real property, or otherwise up-
22 date, modernize, or repair current public works, military
23 installations, and facilities, including leased structures, for
24 United States Space Command until such time as the Sec-
25 retary of the Air Force formally selects and publicly an-

1 nounces the permanent location of the United States
2 Space Command Headquarters in alignment to the United
3 States Air Force Selection Process for the Permanent Lo-
4 cation of the United States Space Command Head-
5 quarters, as validated by the United States Government
6 Accountability Office Report to Congress concerning
7 United States Space Command (GAO-22-106055) and
8 United States Department of Defense Inspector General
9 Report titled “Evaluation of the Air Force Selection Proc-
10 ess for the Permanent Location of the United States
11 Space Command Headquarters” (DODIG-2022-096).

12 SEC. 8141. None of the funds appropriated or other-
13 wise made available by this Act may be used to carry out
14 sections 554(a) and 913 of the National Defense Author-
15 ization Act for Fiscal Year 2021 (Public Law 116-283).

16 SEC. 8142. None of the funds appropriated or other-
17 wise made available by this Act may be used to implement,
18 administer, apply, enforce, or carry out the Diversity, Eq-
19 uity, Inclusion, and Accessibility Strategic Plan of the De-
20 partment of Defense, or Executive Order 13985 of Janu-
21 ary 20, 2021 (86 Fed. Reg. 7009, relating to advancing
22 racial equity and support for under-served communities
23 through the Federal Government), Executive Order 14035
24 of June 25, 2021 (86 Fed. Reg. 34593, relating to diver-
25 sity, equity, inclusion, and accessibility in the Federal

1 workforce), Executive Order 14091 of February 16, 2023
2 (88 Fed. Reg. 10825, relating to further advancing racial
3 equity and support for underserved communities through
4 the Federal government), or shall be used to execute ac-
5 tivities that promote or perpetuate divisive concepts re-
6 lated to race or sex, such as the concepts that one race
7 or sex is inherently superior to another, or that an individ-
8 ual's moral character or worth is determined by their race
9 or sex.

10 SEC. 8143. None of the funds made available by this
11 Act may be used for surgical procedures or hormone thera-
12 pies for the purposes of gender affirming care.

13 SEC. 8144. None of the funds appropriated or other-
14 wise made available by this Act may be used to promote,
15 host, facilitate, or support events on United States mili-
16 tary installations or as part of military recruiting pro-
17 grams that violate the Department of Defense Joint Eth-
18 ics Regulation or bring discredit upon the military, such
19 as a drag queen story hour for children or the use of drag
20 queens as military recruiters.

21 SEC. 8145. None of the funds appropriated or other-
22 wise made available by this Act may be used or transferred
23 to another Federal agency, board, or commission to re-
24 cruit, hire, or promote any person who has been convicted
25 of a Federal or State child pornography charge, has been

1 convicted of any other Federal or State sexual assault
2 charge, or has been formally disciplined for using Federal
3 resources to access, use, or sell child pornography.

4 SEC. 8146. None of the funds appropriated by or
5 made available in this Act shall be used to implement, ad-
6 minister, or otherwise carry out the Department of De-
7 fense memorandum dated October 20, 2022, or any suc-
8 cessor to such memorandum, or to propose, promulgate,
9 or implement any substantially similar rule or policy.

10 SEC. 8147. None of the funds appropriated or other-
11 wise made available by this Act may be used to finalize,
12 promulgate, or implement the rule proposed by the De-
13 partment of Defense titled “Federal Acquisition Regula-
14 tion: Disclosure of Greenhouse Gas Emissions and Cli-
15 mate-Related Financial Risk” (87 Fed. Reg. 68312; No-
16 vember 14, 2022), or to propose, promulgate, or imple-
17 ment any substantially similar rule or policy.

18 SEC. 8148. None of the funds appropriated or other-
19 wise made available by this Act may be used to carry out
20 any program, project, or activity that promotes or ad-
21 vances Critical Race Theory, any concept associated with
22 Critical Race Theory, or that teaches or trains any idea
23 or concept that condones an individual being discriminated
24 against or receiving adverse or beneficial treatment based
25 on race or sex, that condones an individual feeling discom-

1 fort, guilt, anguish, or any other form of psychological dis-
2 tress on account of that individual's race or sex, as well
3 as any idea or concept that regards one race as inherently
4 superior to another race, the United States or its institu-
5 tions as being systemically racist or sexist, an individual
6 as being inherently racist, sexist, or oppressive by virtue
7 of that individual's race or sex, an individual's moral char-
8 acter as being necessarily determined by race or sex, an
9 individual as bearing responsibility for actions committed
10 in the past by other members of the same race or sex,
11 or meritocracy being racist, sexist, or having been created
12 by a particular race to oppress another race.

13 SEC. 8149. None of the funds appropriated or other-
14 wise made available in this Act may be used to—

15 (1) classify or facilitate the classification of any
16 communications by a United States person as mis-
17 , dis-, or mal-information; or

18 (2) partner with or fund nonprofit or other or-
19 ganizations that pressure or recommend private
20 companies to censor lawful and constitutionally pro-
21 tected speech of United States persons, including
22 recommending the censoring or removal of content
23 on social media platforms.

24 SEC. 8150. None of the funds appropriated or other-
25 wise made available by this Act may be used to grant,

1 renew, or maintain a security clearance for any individual
2 listed as a signatory in the statement titled “Public State-
3 ment on the Hunter Biden Emails” dated October 19,
4 2020.

5 SEC. 8151. (a) IN GENERAL.—Notwithstanding sec-
6 tion 7 of title 1, United States Code, section 1738C of
7 title 28, United States Code, or any other provision of law,
8 none of the funds provided by this Act, or previous appro-
9 priations Acts, shall be used in whole or in part to take
10 any discriminatory action against a person, wholly or par-
11 tially, on the basis that such person speaks, or acts, in
12 accordance with a sincerely held religious belief, or moral
13 conviction, that marriage is, or should be recognized as,
14 a union of one man and one woman.

15 (b) DISCRIMINATORY ACTION DEFINED.—As used in
16 subsection (a), a discriminatory action means any action
17 taken by the Federal Government to—

18 (1) alter in any way the Federal tax treatment
19 of, or cause any tax, penalty, or payment to be as-
20 sessed against, or deny, delay, or revoke an exemp-
21 tion from taxation under section 501(a) of the Inter-
22 nal Revenue Code of 1986 of, any person referred to
23 in subsection (a);

1 (2) disallow a deduction for Federal tax pur-
2 poses of any charitable contribution made to or by
3 such person;

4 (3) withhold, reduce the amount or funding for,
5 exclude, terminate, or otherwise make unavailable or
6 deny, any Federal grant, contract, subcontract, co-
7 operative agreement, guarantee, loan, scholarship, li-
8 cense, certification, accreditation, employment, or
9 other similar position or status from or to such per-
10 son;

11 (4) withhold, reduce, exclude, terminate, or oth-
12 erwise make unavailable or deny, any entitlement or
13 benefit under a Federal benefit program, including
14 admission to, equal treatment in, or eligibility for a
15 degree from an educational program, from or to
16 such person; or

17 (5) withhold, reduce, exclude, terminate, or oth-
18 erwise make unavailable or deny access or an entitle-
19 ment to Federal property, facilities, educational in-
20 stitutions, speech fora (including traditional, limited,
21 and nonpublic fora), or charitable fundraising cam-
22 paigns from or to such person.

23 (c) ACCREDITATION; LICENSURE; CERTIFICATION.—
24 The Federal Government shall consider accredited, li-
25 censed, or certified for purposes of Federal law any person

1 that would be accredited, licensed, or certified, respec-
2 tively, for such purposes but for a determination against
3 such person wholly or partially on the basis that the per-
4 son speaks, or acts, in accordance with a sincerely held
5 religious belief or moral conviction described in subsection
6 (a).

7 SEC. 8152. None of the funds appropriated or other-
8 wise made available by this Act may be used by the Sec-
9 retary of Defense or the Service Secretaries to fly or dis-
10 play a flag over or within a facility of the Department
11 of Defense other than the flag of the United States; the
12 flag of a State, Territory, or District of Columbia; the flag
13 of the Department of Defense; the flag of a Military Serv-
14 ice; the flag of Flag or General Officers; the flag of Presi-
15 dentially-appointed, Senate-confirmed civilians; the flag of
16 Senior Executive Service (SES) and Military Department-
17 specific SES; the POW/MIA flag; the flags of other coun-
18 tries with which the United States is an ally or partner,
19 or for official protocol purposes; the flags of organizations
20 in which the United States is a member, such as the North
21 Atlantic Treaty Organization; or ceremonial, command,
22 unit, or branch flags or guidons.

23 SEC. 8153. (a) Not later than 180 days after the date
24 of the enactment of this Act, the Secretary of Defense
25 shall submit to the Committees on Appropriations of both

1 the House of Representatives and Senate a report on ex-
2 cessive contractor payments that exceed the Truthful Cost
3 and Pricing Act (10 U.S.C. chapter 271 and 41 U.S.C.
4 chapter 35) threshold and with respect to which none of
5 the exceptions to certified cost or pricing data require-
6 ments applies.

7 (b) The report required by subsection (a) shall also
8 include the following:

9 (1) The amounts collected, adjusted, or offset
10 from contractors as a result of providing defective
11 cost and pricing data.

12 (2) The mechanisms used to identify violations
13 of the Truthful Cost and Pricing Act (10 U.S.C.
14 chapter 271 and 41 U.S.C. chapter 35).

15 (3) Disciplinary actions taken by the Depart-
16 ment of Defense when violations of the Truthful
17 Cost and Pricing Act (10 U.S.C. chapter 271 and
18 41 U.S.C. chapter 35) are identified, regardless of
19 whether included in the System for Award Manage-
20 ment.

21 (4) Any referrals made to the Department of
22 Justice where appropriate.

23 SPENDING REDUCTION ACCOUNT
24 SEC. 8154. \$0.

- 1 This Act may be cited as the “Department of Defense
- 2 Appropriations Act, 2024”.

Union Calendar No. 93

118TH CONGRESS
1ST Session

H. R. 4365

[Report No. 118-121]

A BILL

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2024, and for other purposes.

JUNE 27, 2023

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed