

## **PERRY #1**

### **AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8034 OFFERED BY MR. PERRY OF PENNSYLVANIA**

Strike all and insert the following:

#### **TITLE I**

#### **DEPARTMENT OF DEFENSE**

#### **OPERATION AND MAINTENANCE**

#### **OPERATION AND MAINTENANCE, DEFENSE-WIDE**

(INCLUDING TRANSFER OF FUNDS)

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

#### **PROCUREMENT**

#### **PROCUREMENT OF AMMUNITION, ARMY**

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

251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## WEAPONS PROCUREMENT, NAVY

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

## MISSILE PROCUREMENT, AIR FORCE

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

## PROCUREMENT, DEFENSE-WIDE

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

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION

### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, \$1,350,000,000, to remain available until September 30, 2025, to respond to the attacks in Israel, of which \$1,200,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the development of the Iron Beam defense system to counter short-range rocket threats: *Provided*, That such funds shall be transferred pursuant to an exchange of letters: *Provided further*, That nothing in the preceding proviso shall be construed to apply to amounts made available in prior appropriations Acts for the development of the Iron Beam

defense system: *Provided further*, That such amounts may be transferred to “Procurement, Defense-Wide” for the production of such system: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of the details of such transfers not less than 15 days before any such transfer: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided under this heading, such amounts may be transferred back and merged with this appropriation: *Provided further*, That any transfer authority provided under this heading is in addition to any other transfer authority provided by law: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## GENERAL PROVISIONS—THIS TITLE

SEC. 101. Section 12001 of the Department of Defense Appropriations Act, 2005 ([Public Law 108–287](#)), as amended by [Public Law 115–141](#), is amended as follows:

(1) In paragraph (2) of subsection (a), by striking “armor” and all that follows through the end of the paragraph and inserting “defense articles that are in the inventory of the Department of Defense as of the date of transfer, are intended for use as reserve stocks for Israel, and are located in a stockpile for Israel as of the date of transfer”;

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

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

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

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

SEC. 104. Concurrent with any notification of assistance made pursuant to section 506(b)(1) of the Foreign Assistance Act of 1961 ([22 U.S.C. 2318\(b\)\(1\)](#)), the Secretary of Defense shall submit a written notification to the congressional defense committees that contains a description of the defense articles and defense services to be furnished, including the quantity,

approximate value, and an estimate of the cost to replace such article or an equivalent capability; and a timeline for the delivery of such defense articles and defense services.

## TITLE II

### DEPARTMENT OF STATE AND RELATED AGENCY

#### DEPARTMENT OF STATE

##### ADMINISTRATION OF FOREIGN AFFAIRS

###### DIPLOMATIC PROGRAMS

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

###### EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

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

### INTERNATIONAL SECURITY ASSISTANCE

#### FUNDS APPROPRIATED TO THE PRESIDENT

###### FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for “Foreign Military Financing Program”, \$3,500,000,000, to remain available until September 30, 2025, to respond to the attacks in Israel: *Provided*, That funds made available under this heading in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for fiscal year 2024, in addition to funds otherwise available for such purposes, may be used by the Department of State for necessary expenses for the general costs of administering military assistance and sales, including management and oversight of such programs and activities: *Provided further*, That, to the extent

that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which up to \$3,500,000,000 may be available for the procurement in Israel of defense articles and defense services: *Provided further*, That any congressional notification requirement applicable to funds made available under this heading for Israel may be waived if a determination is made that extraordinary circumstances exist that impact the national security of the United States: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## GENERAL PROVISIONS—THIS TITLE

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

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

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

## TITLE III

### GENERAL PROVISIONS—THIS ACT

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

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

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

SEC. 304. Each amount designated in this Act by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit

Control Act of 1985, as amended, shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

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

#### BUDGETARY OFFSETS

SEC. 306. (a) RESCISSION OF CERTAIN BALANCES MADE AVAILABLE TO THE INTERNAL REVENUE SERVICE.—Of the unobligated balances of amounts appropriated or otherwise made available for activities of the Internal Revenue Service by paragraphs (1)(A)(ii), (1)(A)(iii), (1)(B), (2), (3), (4), and (5) of section 10301 of [Public Law 117–169](#) (commonly known as the “Inflation Reduction Act of 2022”) as of the date of the enactment of this Act, \$14,300,000,000 are hereby rescinded.

(b) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

(1) for purposes of section 251 of such act;

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

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

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