118TH CONGRESS
2D Session

H. R. ______

Making emergency supplemental appropriations for assistance for the Indo-Pacific region and for related expenses for the fiscal year ending September 30, 2024, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. Cole (for himself, Mr. Calvert, and Mr. Diaz-Balart) introduced the following bill; which was referred to the Committee on

A BILL

Making emergency supplemental appropriations for assistance for the Indo-Pacific region and for related expenses for the fiscal year ending September 30, 2024, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2024, and for other pur-
6 poses, namely:
TITLE I

DEPARTMENT OF DEFENSE

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, $557,758,000, to remain available until September 30, 2024, to support improvements to the submarine industrial base and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Operation and Maintenance, Defense-Wide”, $1,900,000,000, to remain available until September 30, 2025, to respond to the situation in Taiwan and for related expenses: Provided, That such funds may be transferred to accounts under the headings “Operation and Maintenance”, “Procurement”, and “Revolving and Management Funds” for replacement, through new procurement or repair of existing unserviceable equipment, of defense articles from the stocks of the Department of Defense, and for reimbursement for defense services of the Department of Defense and military
education and training, provided to Taiwan or identified
and notified to Congress for provision to Taiwan or to for-
eign countries that have provided support to Taiwan at
the request of the United States: Provided further, That
funds transferred pursuant to the preceding proviso shall
be merged with and available for the same purposes and
for the same time period as the appropriations to which
the funds are transferred: Provided further, That the Sec-
retary 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 trans-
fered from this appropriation are not necessary for the
purposes provided herein, such amounts may be trans-
ferred back and merged with this appropriation: Provided
further, That any transfer authority provided herein is in
addition to any other transfer authority provided by law:
Provided further, That such amount is designated by the
Congress as being for an emergency requirement pursuant
to section 251(b)(2)(A)(i) of the Balanced Budget and

PROCUREMENT

SHIPBUILDING AND CONVERSION, NAVY

For an additional amount for “Shipbuilding and Con-
version, Navy”, $2,155,000,000, to remain available until
September 30, 2028, to support improvements to the submarine industrial base and for related expenses: Provided, That of the total amount provided under this heading in this Act, funds shall be available as follows:

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

Virginia Class Submarine (AP), $200,000,000:

Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**OTHER PROCUREMENT, NAVY**

For an additional amount for “Other Procurement, Navy”, $293,570,000, to remain available until September 30, 2026, to support improvements to the submarine industrial base and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**DEFENSE PRODUCTION ACT PURCHASES**

For an additional amount for “Defense Production Act Purchases”, $132,600,000, to remain available until expended, for activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense
Production Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533): Provided, That such amounts shall be obligated and expended by the Secretary of Defense as if delegated the necessary authorities conferred by the Defense Production Act of 1950: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

For an additional amount for “Research, Development, Test and Evaluation, Navy”, $7,000,000, to remain available until September 30, 2025, to support improvements to the submarine industrial base and for related expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

Sec. 101. For an additional amount for the Department of Defense, $542,400,000, to remain available until September 30, 2024, for transfer to operation and mainte-
nance accounts, procurement accounts, and research, development, test and evaluation accounts, in addition to amounts otherwise made available for such purpose, only for unfunded priorities of the United States Indo-Pacific Command for fiscal year 2024 (as submitted to Congress pursuant to section 1105 of title 31, United States Code):

Provided, That none of the funds provided under this section may be obligated or expended until 30 days after the Secretary of Defense, through the Under Secretary of Defense (Comptroller), provides the Committees on Appropriations of the House of Representatives and the Senate a detailed execution plan for such funds: Provided further, That not less than 15 days prior to any transfer of funds, the Secretary of Defense shall notify the congressional defense committees of the details of any such transfer: Provided further, That upon transfer, the funds shall be merged with and available for the same purposes, and for the same time period, as the appropriation to which transferred: Provided further, That any transfer authority provided herein is in addition to any other transfer authority provided by law: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
TITLE II

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, $281,914,000, to remain available until September 30, 2028, to support improvements to the submarine industrial base and for related expenses:

Provided, That not later than 60 days after the date of enactment of this Act, the Secretary of the Navy, or their designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate an expenditure plan for funds provided under this heading in this Act: Provided further, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
TITLE III

DEPARTMENT OF STATE AND RELATED AGENCY

INTERNATIONAL SECURITY ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for “Foreign Military Financing Program”, $2,000,000,000, to remain available until September 30, 2025, for assistance for the Indo-Pacific region and for related expenses: Provided, That amounts made available under this heading in this Act and unobligated balances of amounts made available under this heading in Acts making appropriations for the Department of State, foreign operations, and related programs for fiscal year 2024 and prior fiscal years shall be available for the cost of loans and loan guarantees as authorized by section 2606 of the Ukraine Supplemental Appropriations Act, 2022 (division N of Public Law 117–103), subject to the terms and conditions provided in such section, or as otherwise authorized by law: Provided further, That loan guarantees made using amounts described in the preceding proviso for loans financed by the Federal Financing Bank may be provided notwithstanding any provision of law limiting the percentage of loan principal that may be guaranteed: Provided further, That up to
$5,000,000 of funds made available under this heading in this Act, in addition to funds otherwise available for such purposes, may be used by the Department of State for necessary expenses for the general costs of administering military assistance and sales, including management and oversight of such programs and activities: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL ASSISTANCE PROGRAMS

MULTILATERAL ASSISTANCE

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For an additional amount for “Contribution to the International Development Association”, $250,000,000, to remain available until expended, which shall be made available for a contribution to the International Development Association Special Program to Enhance Crisis Response Window: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
GENERAL PROVISIONS—THIS TITLE

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. During fiscal year 2024, section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) shall be applied by substituting “$7,800,000,000” for “$100,000,000”.

SEC. 302. During fiscal year 2024, section 506(a)(2)(B) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(2)(B)) shall be applied by substituting “$400,000,000” for “$200,000,000” in the matter preceding clause (i), and by substituting “$150,000,000” for “$75,000,000” in clause (i).

SEC. 303. During fiscal year 2024, section 552(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2348a(c)(2)) shall be applied by substituting “$50,000,000” for “$25,000,000”.

SEC. 304. (a) Section 2606 of the Ukraine Supplemental Appropriations Act, 2022 (division N of Public Law 117–103) is amended as follows:

(1) in subsection (a), by striking “and North Atlantic Treaty Organization (NATO) allies” and inserting “, North Atlantic Treaty Organization (NATO) allies, major non-NATO allies, and the Indo-Pacific region”; by striking “$4,000,000,000” and inserting “$8,000,000,000”; and by striking “, except that such rate may not be less
11

than the prevailing interest rate on marketable Treasury
securities of similar maturity”.

(2) in subsection (b), by striking “and NATO allies”
and inserting “, NATO allies, major non-NATO allies, and
the Indo-Pacific region”; by striking “$4,000,000,000”
and inserting “$8,000,000,000”; and by inserting at the
end of the second proviso “except for guarantees of loans
by the Federal Financing Bank”.

(b) Funds made available for the costs of direct loans
and loan guarantees for major non-NATO allies and the
Indo-Pacific region pursuant to section 2606 of division
N of Public Law 117–103, as amended by subsection (a),
may only be made available from funds appropriated by
this Act under the heading “Foreign Military Financing
Program” and available balances from under such heading
in prior Acts making appropriations for the Department
of State, foreign operations, and related programs: Pro-
vided, That such funds may only be made available if the
Secretary of State certifies and reports to the appropriate
congressional committees, not less than 15 days prior to
the obligation of such funds, that such direct loan or loan
guarantee is in the national security interest of the United
States, is being provided in response to exigent cir-
cumstances, is addressing a mutually agreed upon emer-
gency requirement of the recipient country, and the recipi-
ent country has a plan to repay such loan: *Provided further*, That not less than 60 days after the date of enactment of this Act, the Secretary of State shall consult with such committees on the implementation of this subsection.

(c) Amounts repurposed pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the Budget are designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 305. Prior to the initial obligation of funds made available in this title in this Act, but not later than 15 days after the date of enactment of this Act, the Secretary of State and the Secretary of the Treasury, as appropriate, shall submit to the Committees on Appropriations spend plans, as defined in section 7034(s)(4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023 (division K of Public Law 117–328), at the country, account, and program level, for funds appropriated by this Act under the headings “Foreign Military Financing Program” and “Contribution to the International Development Association”: *Provided*, That plans submitted pursuant to this paragraph shall include for each program notified—(A) total funding made available for such program, by account and
fiscal year; (B) funding that remains unobligated for such program from prior year base or supplemental appropriations; (C) funding that is obligated but unexpended for such program; and (D) funding committed, but not yet notified for such program.
TITLE IV

GENERAL PROVISIONS—THIS ACT

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

Sec. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Sec. 403. Unless otherwise provided for by this Act, the additional amounts appropriated by this Act to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2024.

Sec. 404. Funds appropriated by this Act for foreign assistance (including foreign military sales), for the Department of State, for broadcasting subject to supervision of United States Agency for Global Media, and for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for the purposes of section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).
SEC. 405. Each amount designated in this Act by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or repurposed or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 406. Any amount appropriated by this Act, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this Act shall retain such designation.

SPENDING REDUCTION ACCOUNT

SEC. 407. $0.

This Act may be cited as the “Indo-Pacific Security Supplemental Appropriations Act, 2024”.