



FY 2024 House and Senate Mark Defense

	FY2023	FY2024 PBR	FY24 PBR – FY23 Enacted % Change	FY2024 APLU Request*	FY2024 House Action	FY2024 Senate Action
DEFENSE <i>see page 4 for specific program element recs</i>						
Department of Defense, <i>Science & Technology (6.1-6.3)</i>	22,317	17,825	-20.1%	23,655	19,395	20,366
Department of Defense, <i>S&T, Basic Research (6.1)</i>	2,920	2,480	-15.1%	3,096	2,526	3,224
Department of Defense, <i>DARPA</i>	4,052	4,388	8.3%	4,307	4,123	4,092

House Action

[Bill Text](#) | [Committee Report](#)

The House Appropriations Committee passed the Defense bill on a party line vote in late June. The Defense [bill report](#) notes \$19.4 billion in Science and Technology (6.1-6.3) funding, including \$2.5 billion in basic research (6.1) funding. Both accounts are down 13 percent from FY23, though the bill includes a higher level of spending for [basic research](#) than the administration’s budget request.

Provisions of Note

Sec. 8130 prohibits funds from supporting either the Wuhan Institute of Virology or research laboratories owned or operated by China, Cuba, Iran, North Korea, Russia, or Venezuela and sec. 8131 prohibits funding of EcoHealth Alliance, Inc due to affiliations with China. The bill also prohibits funds from being used to evaluate diversity, equity, and inclusion practices within the Department.

The bill includes a number of controversial prohibitions on use of funding setting up conflict with Democrats:

Section 8142: None of the funds appropriated or otherwise made available by this Act may be used to implement, administer, apply, enforce, or carry out the Diversity, Equity, Inclusion, and Accessibility Strategic Plan of the Department of Defense, or Executive Order 13985 of January 20, 2021 (86 Fed. Reg. 7009, relating to advancing racial equity and support for under-served communities through the Federal Government), Executive Order 14035 of June 25, 2021 (86 Fed. Reg. 34593, relating to diversity, equity, inclusion, and accessibility in the Federal workforce), Executive Order 14091 of February 16, 2023 (88 Fed. Reg. 10825, relating to further advancing racial equity and support for underserved communities through the Federal government), or shall be used to execute activities that promote or perpetuate divisive concepts related to race or sex, such as the concepts that one race or sex is inherently superior to another, or that an individual’s moral character or worth is determined by their race or sex.

Section 8143: None of the funds made available by this Act may be used for surgical procedures or hormone therapies for the purposes of gender affirming care.

Section 8144: None of the funds appropriated or otherwise made available by this Act may be used to promote, host, facilitate, or support events on United States military installations or as part of military recruiting programs that violate the Department of Defense Joint Ethics Regulation or bring discredit upon the military, such as a drag queen story hour for children or the use of drag queens as military recruiters.

Section 8146: None of the funds appropriated by or made available in this Act shall be used to implement, administer, or otherwise carry out the Department of Defense memorandum dated October 20, 2022, or any successor to such memorandum, or to propose, promulgate, or implement any substantially similar rule or policy.

Section 8148: None of the funds appropriated or otherwise made available by this Act may be used to carry out any program, project, or activity that promotes or advances Critical Race Theory, any concept associated with Critical Race Theory, or that teaches or trains any idea or concept that condones an individual being discriminated against or receiving adverse or beneficial treatment based on race or sex, that condones an individual feeling discomfort, guilt, anguish, or any other form of psychological distress on account of that individual's race or sex, as well as any idea or concept that regards one race as inherently superior to another race, the United States or its institutions as being systemically racist or sexist, an individual as being inherently racist, sexist, or oppressive by virtue of that individual's race or sex, an individual's moral character as being necessarily determined by race or sex, an individual as bearing responsibility for actions committed in the past by other members of the same race or sex, or meritocracy being racist, sexist, or having been created by a particular race to oppress another race.

Section 8151: (a) IN GENERAL.—Notwithstanding section 7 of title 1, United States Code, section 1738C of title 28, United States Code, or any other provision of law, none of the funds provided by this Act, or previous appropriations Acts, shall be used in whole or in part to take any discriminatory action against a person, wholly or partially, on the basis that such person speaks, or acts, in accordance with a sincerely held religious belief, or conviction, that marriage is, or should be recognized as, a union of one man and one woman. (b) DISCRIMINATORY ACTION DEFINED.—As used in subsection (a), a discriminatory action means any action taken by the Federal Government to— (1) alter in any way the Federal tax treatment of, or cause any tax, penalty, or payment to be assessed against, or deny, delay, or revoke an exemption from taxation under section 501(a) of the Internal Revenue Code of 1986 of, any person referred to in subsection (a); (2) disallow a deduction for Federal tax purposes of any charitable contribution made to or by such person; (3) withhold, reduce the amount or funding for, exclude, terminate, or otherwise make unavailable or deny, any Federal grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, license, certification, accreditation, employment, or other similar position or status from or to such person; (4) withhold, reduce, exclude, terminate, or otherwise make unavailable or deny, any entitlement or benefit under a Federal benefit program, including admission to, equal treatment in, or eligibility for a degree from an educational program, from or to such person; or (5) withhold, reduce, exclude, terminate, or otherwise make unavailable or deny access or an entitlement to Federal property, facilities, educational institutions, speech fora (including traditional, limited, and nonpublic fora), or charitable fundraising campaigns from or to such person. (c) ACCREDITATION; LICENSURE; CERTIFICATION.— The Federal Government shall consider accredited, licensed, or certified for purposes of Federal law any person that would be accredited, licensed, or certified, respectively,

for such purposes but for a determination against such person wholly or partially on the basis that the person speaks, or acts, in accordance with a sincerely held religious belief or moral conviction described in subsection (a).

Senate Action

[Bill Text](#) | [Committee Report](#)

The Senate Appropriations Committee passed the Defense bill in a bipartisan fashion on July 27. The bill includes \$20.366 billion in Science and Technology (6.1-6.3) funding, including \$3.224 billion in basic research (6.1) funding. Overall Science and Technology funding is down 9 percent from FY23, though basic research funding is up 10 percent.

Provisions of Note

The bill prohibits funds from being used to support any activity conducted by or affiliated with the Wuhan Institute of Virology or EcoHealth Alliance. In the report, the committee emphasizes the importance of investment in basic research to achieve the objectives outlined in the National Defense Strategy.

ABOUT THE ASSOCIATION OF PUBLIC AND LAND-GRANT UNIVERSITIES

APLU is a research, policy, and advocacy organization dedicated to strengthening and advancing the work of public universities in the U.S., Canada, and Mexico. With a membership of 251 public research universities, land-grant institutions, state university systems, and affiliated organizations, APLU's agenda is built on the three pillars of increasing degree completion and academic success, advancing scientific research, and expanding engagement. Annually, its 210 U.S. member campuses enroll 4.5 million undergraduates and 1.3 million graduate students, award 1.3 million degrees, employ 1.2 million faculty and staff, and conduct \$48.5 billion in university-based research.