

118TH CONGRESS
2D SESSION

H. R. 8369

To provide for the expeditious delivery of defense articles and defense services for Israel and other matters.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2024

Mr. CALVERT (for himself, Mr. COLE, Mr. DIAZ-BALART, Mr. JOYCE of Ohio, Mr. McCAUL, Mrs. HOUCHIN, Mr. YAKYM, Mr. McCLINTOCK, Ms. TENNEY, Mr. WEBER of Texas, Mr. ADERHOLT, Mr. LAWLER, Mr. MOOLENAAR, Mr. ELLZEY, Mr. FLEISCHMANN, Mr. RESCHENTHALER, Mrs. MILLER of West Virginia, Mrs. MILLER-MEEKS, Mrs. KIGGANS of Virginia, Mr. WITTMAN, Mr. ZINKE, Mr. VALADAO, Mr. CARTER of Texas, Mr. WOMACK, Mr. PFLUGER, Mr. LAMBORN, Mr. ARMSTRONG, Mr. FITZPATRICK, Mr. OWENS, Mr. TONY GONZALES of Texas, Mr. VAN DREW, Mrs. WAGNER, Mr. BURCHETT, Mrs. HINSON, Mr. LANGWORTHY, Mr. BUCHANAN, Mr. FULCHER, Ms. STEFANIK, Ms. HAGEMAN, Mr. BARR, Mr. GUEST, Mr. GRAVES of Missouri, Mr. MIKE GARCIA of California, Mr. KEAN of New Jersey, Ms. FOXX, Mr. BILIRAKIS, Mr. GARBARINO, Mr. MORAN, Mr. GIMENEZ, Mr. ROSE, Mr. LALOTA, Mr. KELLY of Mississippi, Mr. SESSIONS, Mr. MANN, Mr. SIMPSON, Mr. NEWHOUSE, Mr. SMITH of New Jersey, Mr. BERGMAN, Mr. LAMALFA, Mr. CARTER of Georgia, Mr. DUNN of Florida, Ms. GRANGER, Mrs. BICE, Mr. STAUBER, Mr. MAST, Mr. HUNT, Mr. LUCAS, Mr. MEUSER, Mr. BOST, Mr. WILLIAMS of New York, Mr. GUTHRIE, Mr. McHENRY, Ms. LETLOW, Mr. AUSTIN SCOTT of Georgia, Mr. BACON, Mr. GRAVES of Louisiana, Mr. KUSTOFF, Mr. FRY, Mr. JAMES, Mr. SMITH of Nebraska, Mr. GOODEN of Texas, Mr. LATURNER, Mr. GROTHMAN, Mr. BURGESS, Mr. JACKSON of Texas, Mr. HILL, Mr. WALTZ, Mr. JOHNSON of South Dakota, Mr. AMODEI, Mr. CISCOMANI, Mr. WILLIAMS of Texas, Ms. VAN DUYNE, Mr. ROGERS of Kentucky, Mr. EDWARDS, Mr. KELLY of Pennsylvania, Mr. ALLEN, Mr. JOYCE of Pennsylvania, Mr. ROUZER, Mr. BALDERSON, Mr. BABIN, Mr. NUNN of Iowa, Mr. GREEN of Tennessee, Mr. SCALISE, Mr. MILLS, Mr. DUARTE, Mr. FINSTAD, Mr. WALBERG, Mr. KILEY, Mr. SMITH of Missouri, Mrs. CHAVEZ-DE REMER, Mr. FEENSTRA, Mr. LATTA, Mr. STEUBE, Mr. RUTHERFORD, Mr. D'ESPOSITO, Mr. SCOTT FRANKLIN of Florida, Mr. BANKS, and Ms. MALLIOTAKIS) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be

subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the expeditious delivery of defense articles and defense services for Israel and other matters.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Israel Security Assist-
5 ance Support Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) On October 7, 2023, Hamas terrorists
9 launched a massive, unprovoked war on Israel, kill-
10 ing over 1,200 innocent people and taking over 240
11 hostages, including American citizens.

12 (2) Since October 7, Israel has faced attacks by
13 Iran and its proxies including Hezbollah, Hamas,
14 and the Houthis, which have required significant
15 military responses.

16 (3) Under the terms of a 2016 Memorandum of
17 Understanding, the United States provides Israel
18 with \$3.8 billion per year in security assistance and
19 missile defense funding from fiscal years 2019

1 through 2028, which is subject to the approval of
2 Congress.

3 (4) Thus far in fiscal year 2024, Congress has
4 enacted regular and supplemental legislation appro-
5 priating \$12.5 billion in security assistance and mis-
6 sile defense for Israel without any additional condi-
7 tions.

8 (5) Congress plays a vital role in oversight and
9 approval of direct commercial sales and foreign mili-
10 tary sales to security partners around the world, in-
11 cluding Israel.

12 (6) In May 2024, it was reported that Presi-
13 dent Biden ordered a pause on certain defense arti-
14 cles ready for imminent delivery to Israel, without
15 having consulted with Congress.

16 (7) On May 8, 2024, President Biden stated re-
17 garding Israel, “We’re not going to supply the weap-
18 ons and artillery shells”.

19 **SEC. 3. SENSE OF CONGRESS.**

20 Congress—

21 (1) condemns the Biden Administration’s deci-
22 sion to pause certain arms transfers to Israel as
23 Israel faces unprecedented threats from Iran and its
24 proxies, including Hezbollah, Hamas, and the
25 Houthis;

1 (2) calls on the Biden Administration to allow
2 all previously approved arms transfers to Israel to
3 proceed quickly to ensure that Israel can defend
4 itself and defeat threats from Iran and its proxies,
5 including Hezbollah, Hamas, and the Houthis;

6 (3) calls on the Biden Administration to utilize
7 all congressionally appropriated funds for security
8 assistance for Israel as Congress intended;

9 (4) stands with Israel as it defends itself
10 against the barbaric war launched by Hamas and
11 other terrorists; and

12 (5) reaffirms Israel’s right to self-defense.

13 **SEC. 4. PROHIBITION.**

14 None of the funds appropriated or otherwise made
15 available under any Act appropriating funds for the De-
16 partment of Defense or the Department of State for fiscal
17 year 2024 or any prior years may be made available—

18 (1) to withhold, halt, reverse, or cancel the de-
19 livery of defense articles or defense services from the
20 United States to Israel; or

21 (2) to pay the salary or expenses of any officer
22 or employee of the Department of Defense or the
23 Department of State who takes any action to sup-
24 port or further the withholding, halting, reversal, or

1 cancellation of the delivery of such defense articles
2 or services.

3 **SEC. 5. PROMPT DELIVERY.**

4 (a) PROMPT DELIVERY OF DEFENSE ARTICLES AND
5 SERVICES.—The Secretary of Defense, in coordination
6 with the Secretary of State, shall ensure prompt delivery
7 of all defense articles and services for Israel which are ex-
8 pected to be delivered in fiscal years 2024 and 2025, in-
9 cluding—

10 (1) those contracted through the Foreign Mili-
11 tary Sales system;

12 (2) those supported by prior Acts making ap-
13 propriations for the Department of Defense; and

14 (3) those provided pursuant to a declaration in
15 section 506(a) of the Foreign Assistance Act of
16 1961.

17 (b) PROMPT DELIVERY OF DIRECT COMMERCIAL
18 SALES.—The Secretary of State shall ensure prompt ap-
19 proval and delivery of all direct commercial sales of de-
20 fense articles and services for Israel which are expected
21 to be delivered in fiscal years 2024 and 2025, including
22 those for the Ministry of Public Security.

23 (c) PROMPT DELIVERY OF WITHHELD ITEMS.—Any
24 defense article and defense service described in subsection
25 (a) or (b) of this section that were withheld from delivery

1 as of the date of the enactment of this Act shall be deliv-
2 ered to Israel not later than 15 days after the date of
3 the enactment of this Act.

4 **SEC. 6. WITHHOLDING OF FUNDS.**

5 (a) WITHHOLDING OF DEPARTMENT OF DEFENSE
6 FUNDS.—None of the unobligated balances of funds made
7 available by prior Acts making appropriations for the De-
8 partment of Defense under the heading “Operation and
9 Maintenance, Defense-Wide” for the immediate Office of
10 the Secretary of Defense that are available as of the date
11 of the enactment of this Act may be obligated or expended
12 until the Secretary of Defense certifies and reports to the
13 Committee on Appropriations of the House of Representa-
14 tives and the Senate that the requirements of section 5(c)
15 have been met.

16 (b) WITHHOLDING OF DEPARTMENT OF STATE
17 FUNDS.—None of the unobligated balances of funds made
18 available by prior Acts making appropriations for the De-
19 partment of State, Foreign Operations, and Related Pro-
20 grams under the heading “Diplomatic Programs” for the
21 Office of the Secretary that are available as of the date
22 of the enactment of this Act may be obligated or expended
23 until the Secretary of State certifies and reports to the
24 Committee on Appropriations of the House of Representa-

1 tives and the Senate that the requirements of section 5(c)
2 have been met.

3 (c) WITHHOLDING OF FINANCIAL SERVICES AND
4 GENERAL GOVERNMENT FUNDS.—None of the unobli-
5 gated balances of funds made available by prior Acts mak-
6 ing appropriations for Financial Services and General
7 Government under the heading “Executive Office of the
8 President and Funds Appropriated To the President—Na-
9 tional Security Council and Homeland Security Council”
10 that are available as of the date of the enactment of this
11 Act may be obligated or expended until the President cer-
12 tifies and reports to the Committee on Appropriations of
13 the House of Representatives and the Senate that the re-
14 quirements of section 5(c) have been met.

15 **SEC. 7. OBLIGATION REQUIREMENT.**

16 Notwithstanding any other provision of law, the Sec-
17 retary of Defense and the Secretary of State shall obligate
18 any remaining unobligated balances of funds appropriated
19 or otherwise made available for assistance for Israel not
20 later than 30 days after the date of the enactment of this
21 Act.

22 **SEC. 8. REPORTS.**

23 (a) INSPECTOR GENERAL REPORT.—Not later than
24 90 days after the date of the enactment of this Act, the
25 Inspectors General of the Department of Defense and the

1 Department of State shall jointly submit to Congress a
2 report on any actions taken by executive branch officials
3 before the date of the enactment of this Act to withhold,
4 halt, reverse, or cancel the delivery of defense articles and
5 defense services to Israel.

6 (b) MONTHLY SECURITY ASSISTANCE REPORT.—Not
7 later than 30 days after the date of enactment of this Act,
8 and every 30 days thereafter through fiscal year 2025, the
9 Secretary of Defense, in coordination with the Secretary
10 of State, shall provide a written report to the Committees
11 on Appropriations, Armed Services, and Foreign Affairs
12 of the House of Representatives and the Committees on
13 Appropriations, Armed Services, and Foreign Relations of
14 the Senate describing United States security assistance
15 provided to Israel since October 7, 2023, including a com-
16 prehensive list of the defense articles and services provided
17 to Israel and the associated authority and funding used
18 to provide such articles and services: *Provided*, That such
19 report shall be submitted in unclassified form, but may
20 be accompanied by a classified annex.

21 (c) REPORT ON PRIORITY DEFENSE ARTICLES AND
22 SERVICES.—Not later than 30 days after the date of en-
23 actment of this Act, the Secretary of Defense, in coordina-
24 tion with the Secretary of State, shall provide a written
25 report to the Committees on Appropriations, Armed Serv-

1 ices, and Foreign Affairs of the House of Representatives
2 and the Committees on Appropriations, Armed Services,
3 and Foreign Relations of the Senate describing urgent and
4 high priority defense articles and defense services for
5 Israel and steps taken or planned to expedite the delivery
6 of such articles and services.

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