

MARKUP OF VARIOUS MEASURES

HEARING

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

May 22, 2024

Serial No. 118–104

Printed for the use of the Committee on Foreign Affairs



Available: <http://www.foreignaffairs.house.gov>, <http://docs.house.gov>,
or <http://www.govinfo.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

56–736PDF

WASHINGTON : 2026

COMMITTEE ON FOREIGN AFFAIRS

MICHAEL T. McCAUL, Texas, *Chairman*

CHRISTOPHER H. SMITH, New Jersey	GREGORY MEEKS, New York, <i>Ranking Member</i>
JOE WILSON, South Carolina	BRAD SHERMAN, California
SCOTT PERRY, Pennsylvania	GERALD E. CONNOLLY, Virginia
DARRELL ISSA, California	WILLIAM KEATING, Massachusetts
ANN WAGNER, Missouri	AMI BERA, California
BRIAN MAST, Florida	JOAQUIN CASTRO, Texas
TIM BURCHETT, Tennessee	DINA TITUS, Nevada
MARK E. GREEN, Tennessee	TED LIEU, California
ANDY BARR, Kentucky	SUSAN WILD, Pennsylvania
RONNY JACKSON, Texas	DEAN PHILLIPS, Minnesota
YOUNG KIM, California	COLIN ALLRED, Texas
MARIA ELVIRA SALAZAR, Florida	ANDY KIM, New Jersey
BILL HUIZENGA, Michigan	SARA JACOBS, California
AUMUA AMATA COLEMAN RADEWAGEN, American Samoa	KATHY MANNING, North Carolina
FRENCH HILL, Arkansas	SHEILA CHERFILUS-McCORMICK, Florida
WARREN DAVIDSON, Ohio	GREG STANTON, Arizona
JIM BAIRD, Indiana	MADELEINE DEAN, Pennsylvania
MICHAEL WALTZ, Florida	JARED MOSKOWITZ, Florida
THOMAS KEAN, JR., New Jersey	JONATHAN JACKSON, Illinois
MICHAEL LAWLER, New York	SYDNEY KAMLAGER-DOVE, California
CORY MILLS, Florida	JIM COSTA, California
RICH MCCORMICK, Georgia	JASON CROW, Colorado
NATHANIEL MORAN, Texas	BRAD SCHNEIDER, Illinois
JOHN JAMES, Michigan	
KEITH SELF, Texas	

BRENDAN SHIELDS, *Majority Staff Director*

SOPHIA LAFARGUE, *Minority Staff Director*

C O N T E N T S

REPRESENTATIVES

Opening Statement of Chairman Michael McCaul	Page 1
Opening Statement of Ranking Member Gregory Meeks	31

BILLS AND AMENDMENTS

H.R. 8437	2
Amendment(H.R. 8437ANS) offered by Chairman McCaul	17
Amendment (H.R.8437ANS)offered by Rep. Meeks	34
Amendment (128 to H.R 8437) offered by Rep. Davidson	48
Amendment (110 to H.R. 8437 ANS)offered by Rep. Castro	51
Amendment (102 to 8427 ANS) offered by Rep.Sherman	54
H.R.8315	58
Amendment (133 ANS to H.R. 8315) offered by Chairman McCaul	68
The H.Res.616 offered by Chairman McCaul	77

APPENDIX

Hearing Notice	92
Hearing Minutes	94
Hearing Attendance	95
Markup Summary	96
Votes of Committee	97

MARKUP OF VARIOUS MEASURES

Wednesday, May 22, 2024

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10:13 a.m., in room 2172, Rayburn House Office Building, Hon. Michael McCaul (chairman of the committee) presiding.

OPENING STATEMENT OF CHAIRMAN MICHAEL McCAUL

Chairman McCAUL. A quorum being present, the Committee on Foreign Affairs will come to order. The committee is meeting today for consideration of H.R. 8437, Maintaining our Ironclad Commitment to Israel Security Act; H.R. 8315, The Enforce Act; H.Res. 616, Expressing Support for the People of Afghanistan, Condemning the Taliban's Assault on Human Rights and Specific Targeting of Women, Girls, and Members of Religious and Ethnic Minorities, and Expressing Support For Any Afghans Who Assisted in the United States Mission in Afghanistan.

The chair announces that any requests for recorded votes may be rolled, and he may recess the committee at any point. Without objection, so ordered.

Pursuant to House rules, I request that members have the opportunity to submit views for any committee report that may be produced on any of today's measures. Without objection, so ordered.

Pursuant to notice, I now call up H.R. 8437, Maintaining our Ironclad Commitment to Israel Security Act.

[The Bill H.R. 8437 follows:]

118TH CONGRESS
2D SESSION

H. R. 8437

To provide for congressional oversight of proposed changes to arms sales
to Israel.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2024

Mr. McCaul (for himself, Mrs. Wagner, Mrs. Radewagen, Mr. Self, Mr. Lawler, Mr. Wilson of South Carolina, Mr. Kean of New Jersey, Mr. Stanton, Mr. Sherman, Mr. Owens, Mr. Fitzpatrick, Mr. Jackson of Texas, Mrs. Kiggans of Virginia, Mr. Nunn of Iowa, Mr. Reschenthaler, Mr. Bacon, Mr. Balderson, Ms. Manning, Mr. Mast, Mr. Fleischmann, Mr. Guest, Mr. Gimenez, Mr. Lamborn, Mr. Barr, Mr. Weber of Texas, Mr. Sessions, Mr. Smith of New Jersey, Mr. Garbarino, Mr. Gottheimer, Mr. Golden of Maine, Mr. Moskowitz, and Mrs. Miller of West Virginia) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Rules, 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 congressional oversight of proposed changes
to arms sales to Israel.

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 “Maintaining Our Iron-
5 clad Commitment to Israel’s Security Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) In 2016 the Obama Administration con-
4 cluded negotiations with Israel for a 10-year Memo-
5 randum of Understanding covering security assist-
6 ance for fiscal years 2019 to 2028 that affirmed
7 “the unshakeable commitment of the United States
8 to Israel’s security”.

9 (2) In May 2024, the Biden Administration de-
10 layed shipment of 1,800 2,000-pound bombs and
11 1,700 500-pound bombs to Israel in an effort to
12 place political pressure on the Government of Israel.

13 (3) This decision of the Biden Administration
14 was made without consulting or notifying Congress
15 and despite repeated public assurances that the
16 United States-Israel relationship was “ironclad” and
17 that there was “no change in policy”.

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

21 **SEC. 3. SENSE OF CONGRESS.**

22 It is the sense of Congress that—

23 (1) Israel has a right to defend itself, which in-
24 cludes the need for offensive capabilities in order to
25 deter and defeat threats, including those posed by

1 Iran and its terrorist proxies Hamas, Hezbollah, and
2 the Houthis;

3 (2) previously negotiated and approved United
4 States arms sales to Israel should proceed, and all
5 pauses should be lifted, to ensure that Israel is prop-
6 erly equipped to defend itself and defeat threats, in-
7 cluding those posed by Iran and its terrorist proxies
8 Hamas, Hezbollah, and the Houthis; and

9 (3) limiting or otherwise delaying the sale or
10 delivery of United States-made defense articles to
11 Israel runs counter to the commitments the United
12 States made to Israel as part of the 2016 Memo-
13 randum of Understanding and undermines regional
14 security, including prospective advances in Israel-
15 Saudi normalization.

16 **SEC. 4. CONGRESSIONAL OVERSIGHT OF PROPOSED**
17 **CHANGES TO ARMS SALES TO ISRAEL.**

18 (a) IN GENERAL.—The President may not take any
19 action to pause, suspend, delay, or abrogate the delivery
20 of covered defense articles or defense services to Israel,
21 including as part of a policy review, unless, not less than
22 15 days prior to such action, the President provides the
23 notification described in (b) relating to such pause, sus-
24 pension, delay, or abrogation in unclassified form, with a

1 classified annex as necessary, to the appropriate congres-
2 sional committees.

3 (b) NOTIFICATION DESCRIBED.—The notification re-
4 lating to a pause, suspension, delay, or abrogation to the
5 delivery of covered defense articles or defense services
6 shall include the following:

7 (1) An identification of the end user of the arti-
8 cles or services.

9 (2) A detailed description of the type of articles
10 or services to include the date on which Congress
11 was notified of the transfer of the articles or serv-
12 ices.

13 (3) A policy justification for the pause, suspen-
14 sion, delay, or abrogation and a description of the
15 potential impact such action may have on United
16 States national security interests.

17 (4) An identification of conditions for lifting the
18 pause, suspension, delay, or abrogation and whether
19 such conditions will be communicated to the Govern-
20 ment of Israel and the timeline for meeting such
21 conditions.

22 (5) A description of the sources of funds, in-
23 cluding an identification of appropriations accounts
24 if applicable, used to provide the articles or services.

1 (6) An identification of any bilateral agreement
2 or memorandum of understanding related to the au-
3 thority to provide the articles or services.

4 (7) A description as to whether the action
5 would adversely affect Israel's qualitative military
6 edge over military threats to Israel.

7 (c) DEFINITIONS.—In this section—

8 (1) the term “appropriate congressional com-
9 mittees” means—

10 (A) the Committee on Foreign Affairs and
11 the Committee on Appropriations of the House
12 of Representatives; and

13 (B) the Committee on Foreign Relations
14 and the Committee on Appropriations of the
15 Senate; and

16 (2) the term “qualitative military edge” has the
17 meaning given that term in section 36(h)(3) of the
18 Arms Export Control Act (22 U.S.C. 2776(h)(3)).

19 **SEC. 5. CONGRESSIONAL REVIEW.**

20 (a) LIMITATION ON ACTIONS DURING INITIAL CON-
21 GRESSIONAL REVIEW PERIOD.—During the 15 day period
22 following the submission of a notification described in sec-
23 tion 4(b), the President may not take any action to pause,
24 suspend, delay, or abrogate the delivery of covered defense
25 articles or services to Israel described in such notification.

1 (b) LIMITATION ON ACTIONS AFTER INTRODUCTION
2 OF A JOINT RESOLUTION OF DISAPPROVAL.—If a joint
3 resolution of disapproval relating to notification described
4 in section 4(b) is introduced, the President may not take
5 any action relating to the pause, suspension, delay, or ab-
6 rogation to the delivery of covered defense articles or de-
7 fense services described in such notification for a period
8 of 10 calendar days, unless the joint resolution sooner
9 passes both Houses of Congress.

10 (c) LIMITATION ON ACTIONS DURING PRESIDENTIAL
11 CONSIDERATION OF A JOINT RESOLUTION OF DIS-
12 APPROVAL.—If a joint resolution of disapproval relating
13 to notification described in section 4(b) passes both
14 Houses of Congress, the President may not take any ac-
15 tion relating to the pause, suspension, delay, or abrogation
16 to the delivery of covered defense articles or defense serv-
17 ices described in such notification for a period of 12 cal-
18 endar days after the date of passage of the joint resolution
19 of disapproval, unless the President sooner vetoes the joint
20 resolution of disapproval.

21 (d) LIMITATION ON ACTIONS DURING CONGRES-
22 SIGNAL RECONSIDERATION OF A JOINT RESOLUTION OF
23 DISAPPROVAL.—If the President vetoes the joint resolu-
24 tion of disapproval, the President may not take the action
25 described in such notification for a period of 10 calendar

1 days after the date of the President’s veto, unless the joint
2 resolution sooner fails of passage on reconsideration in ei-
3 ther House.

4 (e) EFFECT OF ENACTMENT OF A JOINT RESOLU-
5 TION OF DISAPPROVAL.—If a joint resolution of dis-
6 approval relating to notification described in section 4(b)
7 is enacted into law, the President may not take any action
8 relating to the pause, suspension, delay, or abrogation to
9 the delivery of covered defense articles or services to Israel
10 described in such notification for a period of 180 days,
11 at which point, the President must submit a new notifica-
12 tion relating to such action.

13 (f) JOINT RESOLUTIONS OF DISAPPROVAL.—

14 (1) DEFINITION.—In this section, the term
15 “joint resolution of disapproval” means only a joint
16 resolution of either House of Congress—

17 (A) the title of which is as follows: “A joint
18 resolution disapproving the President’s proposal
19 to pause, suspend, delay, or abrogate the deliv-
20 ery of covered defense articles or defense serv-
21 ices to Israel.”; and

22 (B) the sole matter after the resolving
23 clause of which is the following: “Congress dis-
24 approves of the action relating to pause, sus-
25 pend, delay, or abrogate the delivery of covered

1 defense articles or defense services to Israel
2 proposed by the President in the notification
3 described in section 4(b) of the Maintaining
4 Our Ironclad Commitment to Israel's Security
5 Act on ■■■■■ relating to ■■■■■.,
6 with the first blank space being filled with the
7 appropriate date and the second blank space
8 being filled with a short description of the pro-
9 posed action.

10 (2) INTRODUCTION.—During the period of 15
11 calendar days provided for under subsection (b)(1),
12 a joint resolution of disapproval may be intro-
13 duced—

14 (A) in the House of Representatives, by
15 the majority leader or the minority leader; and

16 (B) in the Senate, by the majority leader
17 (or the majority leader's designee) or the mi-
18 nority leader (or the minority leader's des-
19 ignee).

20 (3) FLOOR CONSIDERATION IN HOUSE OF REP-
21 RESENTATIVES.—

22 (A) REPORTING AND DISCHARGE.—If a
23 committee of the House of Representatives to
24 which a joint resolution of disapproval has been
25 referred has not reported the joint resolution

1 within 5 legislative days after the date of refer-
2 ral, that committee shall be discharged from
3 further consideration of the joint resolution.

4 (B) PROCEEDING TO CONSIDERATION.—
5 Beginning on the third legislative day after
6 each committee to which a joint resolution has
7 been referred reports the joint resolution to the
8 House or has been discharged from further con-
9 sideration thereof, it shall be in order to move
10 to proceed to consider the joint resolution in the
11 House. All points of order against the motion
12 are waived. Such a motion shall not be in order
13 after the House has disposed of a motion to
14 proceed on the joint resolution. The previous
15 question shall be considered as ordered on the
16 motion to its adoption without intervening mo-
17 tion. The motion shall not be debatable. A mo-
18 tion to reconsider the vote by which the motion
19 is disposed of shall not be in order.

20 (C) CONSIDERATION.—The joint resolution
21 shall be considered as read. All points of order
22 against the joint resolution and against its con-
23 sideration are waived. The previous question
24 shall be considered as ordered on the joint reso-
25 lution to final passage without intervening mo-

1 tion except 2 hours of debate equally divided
2 and controlled by the sponsor of the joint reso-
3 lution (or a designee) and an opponent. A mo-
4 tion to reconsider the vote on passage of the
5 joint resolution shall not be in order.

6 (4) CONSIDERATION IN THE SENATE.—

7 (A) COMMITTEE REFERRAL.—A joint reso-
8 lution of disapproval introduced in the Senate
9 shall be referred to the Committee on Foreign
10 Relations.

11 (B) REPORTING AND DISCHARGE.—If the
12 Committee on Foreign Relations has not re-
13 ported the joint resolution within 5 calendar
14 days after the date of referral of the joint reso-
15 lution, that committee shall be discharged from
16 further consideration of the joint resolution and
17 the joint resolution shall be placed on the ap-
18 propriate calendar.

19 (C) PROCEEDING TO CONSIDERATION.—
20 Notwithstanding Rule XXII of the Standing
21 Rules of the Senate, it is in order at any time
22 after the Committee on Foreign Relations re-
23 ports a joint resolution of disapproval to the
24 Senate or has been discharged from consider-
25 ation of such a joint resolution (even though a

1 previous motion to the same effect has been dis-
2 agreed to) to move to proceed to the consider-
3 ation of the joint resolution, and all points of
4 order against the joint resolution (and against
5 consideration of the joint resolution) are
6 waived. The motion to proceed is not debatable.
7 The motion is not subject to a motion to post-
8 pone. A motion to reconsider the vote by which
9 the motion is agreed to or disagreed to shall not
10 be in order.

11 (D) RULINGS OF THE CHAIR ON PROCE-
12 DURE.—Appeals from the decisions of the Chair
13 relating to the application of the rules of the
14 Senate, as the case may be, to the procedure re-
15 lating to a joint resolution of disapproval shall
16 be decided without debate.

17 (E) CONSIDERATION OF VETO MES-
18 SAGES.—Debate in the Senate of any veto mes-
19 sage with respect to a joint resolution of dis-
20 approval, including all debatable motions and
21 appeals in connection with the joint resolution,
22 shall be limited to 10 hours, to be equally di-
23 vided between, and controlled by, the majority
24 leader and the minority leader or their des-
25 ignees.

1 (5) RULES RELATING TO SENATE AND HOUSE
2 OF REPRESENTATIVES.—

3 (A) COORDINATION WITH ACTION BY
4 OTHER HOUSE.—If, before the passage by one
5 House of a joint resolution of that House, that
6 House receives a joint resolution from the other
7 House, then the following procedures shall
8 apply:

9 (i) The joint resolution of the other
10 House shall not be referred to a com-
11 mittee.

12 (ii) With respect to a joint resolution
13 of the House receiving the legislation—

14 (I) the procedure in that House
15 shall be the same as if no joint resolu-
16 tion had been received from the other
17 House; but

18 (II) the vote on passage shall be
19 on the joint resolution of the other
20 House.

21 (B) TREATMENT OF A JOINT RESOLUTION
22 OF OTHER HOUSE.—If one House fails to intro-
23 duce a joint resolution under this section, the
24 joint resolution of the other House shall be en-

1 titled to expedited floor procedures under this
2 section.

3 (C) TREATMENT OF COMPANION MEAS-
4 URES.—If, following passage of the joint resolu-
5 tion in the Senate, the Senate then receives a
6 companion measure from the House of Rep-
7 resentatives, the companion measure shall not
8 be debatable.

9 (D) APPLICATION TO REVENUE MEAS-
10 URES.—The provisions of this paragraph shall
11 not apply in the House of Representatives to a
12 joint resolution of disapproval that is a revenue
13 measure.

14 (6) RULES OF HOUSE OF REPRESENTATIVES
15 AND SENATE.—This subsection is enacted by Con-
16 gress—

17 (A) as an exercise of the rulemaking power
18 of the Senate and the House of Representa-
19 tives, respectively, and as such is deemed a part
20 of the rules of each House, respectively, and su-
21 persedes other rules only to the extent that it
22 is inconsistent with such rules; and

23 (B) with full recognition of the constitu-
24 tional right of either House to change the rules
25 (so far as relating to the procedure of that

1 House) at any time, in the same manner, and
2 to the same extent as in the case of any other
3 rule of that House.

4 **SEC. 6. COVERED DEFENSE ARTICLES AND DEFENSE SERV-**
5 **ICES DEFINED.**

6 In this Act, the term “covered defense articles and
7 defense services” means those defense articles and defense
8 services that are provided under any of the following au-
9 thorities:

10 (1) Section 3 of the Arms Export Control Act
11 (22 U.S.C. 2753).

12 (2) Section 36 of the Arms Export Control Act
13 (22 U.S.C. 2776).

14 (3) Section 506 of the Foreign Assistance Act
15 of 1961 (22 U.S.C. 2318).

16 (4) Section 614 of the Foreign Assistance Act
17 of 1961 (22 U.S.C. 2364).

Æ

Chairman MCCAUL. The bill was circulated in advance and the clerk shall designate the bill.

The CLERK. H.R. 8437, to provide for congressional oversight of proposed changes to arms sales to Israel.

Chairman MCCAUL. Without objection, the first reading is dispensed with. The bill is considered read and open to amendment at any point. Without objection, the McCaul amendment in the nature of a substitute No. 134, circulated to members in advance, shall be considered as read and will be treated as original text for purposes of amendments.

[The Amendment offered by Mr. McCaul follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8437
OFFERED BY MR. MCCAUL OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Maintaining Our Iron-
3 clad Commitment to Israel’s Security Act”.

4 SEC. 2. FINDINGS.

5 Congress finds the following:

6 (1) In 2016 the Obama Administration con-
7 cluded negotiations with Israel for a 10-year Memo-
8 randum of Understanding covering security assist-
9 ance for fiscal years 2019 to 2028 that affirmed
10 “the unshakeable commitment of the United States
11 to Israel’s security”.

12 (2) In May 2024, the Biden Administration de-
13 layed shipment of 1,800 2,000-pound bombs and
14 1,700 500-pound bombs to Israel in an effort to
15 place political pressure on the Government of Israel.

16 (3) This decision of the Biden Administration
17 was made without consulting or notifying Congress
18 and despite repeated public assurances that the

1 United States-Israel relationship was “ironclad” and
2 that there was “no change in policy”.

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

6 **SEC. 3. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) Israel has a right to defend itself, which in-
9 cludes the need for offensive capabilities in order to
10 deter and defeat threats, including those posed by
11 Iran and its terrorist proxies Hamas, Hezbollah, and
12 the Houthis;

13 (2) previously negotiated and approved United
14 States arms sales to Israel should proceed, and all
15 pauses should be lifted, to ensure that Israel is prop-
16 erly equipped to defend itself and defeat threats, in-
17 cluding those posed by Iran and its terrorist proxies
18 Hamas, Hezbollah, and the Houthis; and

19 (3) limiting or otherwise delaying the sale or
20 delivery of United States-made defense articles to
21 Israel runs counter to the commitments the United
22 States made to Israel as part of the 2016 Memo-
23 randum of Understanding and undermines regional
24 security, including prospective advances in Israel-
25 Saudi normalization.

1 SEC. 4. CONGRESSIONAL OVERSIGHT OF PROPOSED
2 CHANGES TO ARMS SALES TO ISRAEL.

3 (a) IN GENERAL.—The President may not take any
4 action to pause, suspend, delay, or abrogate the delivery
5 of covered defense articles or defense services to Israel,
6 including as part of a policy review, unless, not less than
7 15 days prior to such action, the President provides the
8 notification described in (b) relating to such pause, sus-
9 pension, delay, or abrogation in unclassified form, with a
10 classified annex as necessary, to the appropriate congres-
11 sional committees.

12 (b) NOTIFICATION DESCRIBED.—The notification re-
13 lating to a pause, suspension, delay, or abrogation to the
14 delivery of covered defense articles or defense services
15 shall include the following:

16 (1) An identification of the end user of the arti-
17 cles or services.

18 (2) A detailed description of the type of articles
19 or services to include the date on which Congress
20 was notified of the transfer of the articles or serv-
21 ices.

22 (3) A policy justification for the pause, suspen-
23 sion, delay, or abrogation and a description of the
24 potential impact such action may have on United
25 States national security interests.

1 (4) An identification of conditions for lifting the
2 pause, suspension, delay, or abrogation and whether
3 such conditions will be communicated to the Govern-
4 ment of Israel and the timeline for meeting such
5 conditions.

6 (5) A description of the sources of funds, in-
7 cluding an identification of appropriations accounts
8 if applicable, used to provide the articles or services.

9 (6) An identification of any bilateral agreement
10 or memorandum of understanding related to the au-
11 thority to provide the articles or services.

12 (7) A description as to whether the action
13 would adversely affect Israel's qualitative military
14 edge over military threats to Israel.

15 (c) DEFINITIONS.—In this section—

16 (1) the term “appropriate congressional com-
17 mittees” means—

18 (A) the Committee on Foreign Affairs and
19 the Committee on Appropriations of the House
20 of Representatives; and

21 (B) the Committee on Foreign Relations
22 and the Committee on Appropriations of the
23 Senate; and

1 (2) the term “qualitative military edge” has the
2 meaning given that term in section 36(h)(3) of the
3 Arms Export Control Act (22 U.S.C. 2776(h)(3)).

4 **SEC. 5. CONGRESSIONAL REVIEW.**

5 (a) **LIMITATION ON ACTIONS DURING INITIAL CON-**
6 **GRESSIONAL REVIEW PERIOD.**—During the 15 day period
7 following the submission of a notification described in sec-
8 tion 4(b), the President may not take any action to pause,
9 suspend, delay, or abrogate the delivery of covered defense
10 articles or services to Israel described in such notification.

11 (b) **LIMITATION ON ACTIONS AFTER INTRODUCTION**
12 **OF A JOINT RESOLUTION OF DISAPPROVAL.**—If a joint
13 resolution of disapproval relating to notification described
14 in section 4(b) is introduced, the President may not take
15 any action relating to the pause, suspension, delay, or ab-
16 rogation to the delivery of covered defense articles or de-
17 fense services described in such notification for a period
18 of 10 calendar days, unless the joint resolution sooner
19 passes both Houses of Congress.

20 (c) **LIMITATION ON ACTIONS DURING PRESIDENTIAL**
21 **CONSIDERATION OF A JOINT RESOLUTION OF DIS-**
22 **APPROVAL.**—If a joint resolution of disapproval relating
23 to notification described in section 4(b) passes both
24 Houses of Congress, the President may not take any ac-
25 tion relating to the pause, suspension, delay, or abrogation

1 to the delivery of covered defense articles or defense serv-
2 ices described in such notification for a period of 12 cal-
3 endar days after the date of passage of the joint resolution
4 of disapproval, unless the President sooner vetoes the joint
5 resolution of disapproval.

6 (d) LIMITATION ON ACTIONS DURING CONGRES-
7 SIONAL RECONSIDERATION OF A JOINT RESOLUTION OF
8 DISAPPROVAL.—If the President vetoes the joint resolu-
9 tion of disapproval, the President may not take the action
10 described in such notification for a period of 10 calendar
11 days after the date of the President’s veto, unless the joint
12 resolution sooner fails of passage on reconsideration in ei-
13 ther House.

14 (e) EFFECT OF ENACTMENT OF A JOINT RESOLU-
15 TION OF DISAPPROVAL.—If a joint resolution of dis-
16 approval relating to notification described in section 4(b)
17 is enacted into law, the President may not take any action
18 relating to the pause, suspension, delay, or abrogation to
19 the delivery of covered defense articles or services to Israel
20 described in such notification for a period of 180 days,
21 at which point, the President must submit a new notifica-
22 tion relating to such action.

23 (f) JOINT RESOLUTIONS OF DISAPPROVAL.—

1 (1) DEFINITION.—In this section, the term
 2 “joint resolution of disapproval” means only a joint
 3 resolution of either House of Congress—

4 (A) the title of which is as follows: “A joint
 5 resolution disapproving the President’s proposal
 6 to pause, suspend, delay, or abrogate the deliv-
 7 ery of covered defense articles or defense serv-
 8 ices to Israel.”; and

9 (B) the sole matter after the resolving
 10 clause of which is the following: “Congress dis-
 11 approves of the action relating to pause, sus-
 12 pend, delay, or abrogate the delivery of covered
 13 defense articles or defense services to Israel
 14 proposed by the President in the notification
 15 described in section 4(b) of the Maintaining
 16 Our Ironclad Commitment to Israel’s Security
 17 Act on ■■■■■ relating to ■■■■■.,
 18 with the first blank space being filled with the
 19 appropriate date and the second blank space
 20 being filled with a short description of the pro-
 21 posed action.

22 (2) INTRODUCTION.—During the period of 15
 23 calendar days provided for under subsection (b)(1),
 24 a joint resolution of disapproval may be intro-
 25 duced—

1 (A) in the House of Representatives, by
2 the majority leader or the minority leader; and

3 (B) in the Senate, by the majority leader
4 (or the majority leader's designee) or the mi-
5 nority leader (or the minority leader's des-
6 ignee).

7 (3) FLOOR CONSIDERATION IN HOUSE OF REP-
8 RESENTATIVES.—

9 (A) REPORTING AND DISCHARGE.—If a
10 committee of the House of Representatives to
11 which a joint resolution of disapproval has been
12 referred has not reported the joint resolution
13 within 5 legislative days after the date of refer-
14 ral, that committee shall be discharged from
15 further consideration of the joint resolution.

16 (B) PROCEEDING TO CONSIDERATION.—
17 Beginning on the third legislative day after
18 each committee to which a joint resolution has
19 been referred reports the joint resolution to the
20 House or has been discharged from further con-
21 sideration thereof, it shall be in order to move
22 to proceed to consider the joint resolution in the
23 House. All points of order against the motion
24 are waived. Such a motion shall not be in order
25 after the House has disposed of a motion to

1 proceed on the joint resolution. The previous
2 question shall be considered as ordered on the
3 motion to its adoption without intervening mo-
4 tion. The motion shall not be debatable. A mo-
5 tion to reconsider the vote by which the motion
6 is disposed of shall not be in order.

7 (C) CONSIDERATION.—The joint resolution
8 shall be considered as read. All points of order
9 against the joint resolution and against its con-
10 sideration are waived. The previous question
11 shall be considered as ordered on the joint reso-
12 lution to final passage without intervening mo-
13 tion except 2 hours of debate equally divided
14 and controlled by the sponsor of the joint reso-
15 lution (or a designee) and an opponent. A mo-
16 tion to reconsider the vote on passage of the
17 joint resolution shall not be in order.

18 (4) CONSIDERATION IN THE SENATE.—

19 (A) COMMITTEE REFERRAL.—A joint reso-
20 lution of disapproval introduced in the Senate
21 shall be referred to the Committee on Foreign
22 Relations.

23 (B) REPORTING AND DISCHARGE.—If the
24 Committee on Foreign Relations has not re-
25 ported the joint resolution within 5 calendar

G:\M\18\MCCAUL\MCCAUL_134.XML

10

1 days after the date of referral of the joint reso-
2 lution, that committee shall be discharged from
3 further consideration of the joint resolution and
4 the joint resolution shall be placed on the ap-
5 propriate calendar.

6 (C) PROCEEDING TO CONSIDERATION.—
7 Notwithstanding Rule XXII of the Standing
8 Rules of the Senate, it is in order at any time
9 after the Committee on Foreign Relations re-
10 ports a joint resolution of disapproval to the
11 Senate or has been discharged from consider-
12 ation of such a joint resolution (even though a
13 previous motion to the same effect has been dis-
14 agreed to) to move to proceed to the consider-
15 ation of the joint resolution, and all points of
16 order against the joint resolution (and against
17 consideration of the joint resolution) are
18 waived. The motion to proceed is not debatable.
19 The motion is not subject to a motion to post-
20 pone. A motion to reconsider the vote by which
21 the motion is agreed to or disagreed to shall not
22 be in order.

23 (D) RULINGS OF THE CHAIR ON PROCE-
24 DURE.—Appeals from the decisions of the Chair
25 relating to the application of the rules of the

1 Senate, as the case may be, to the procedure re-
 2 lating to a joint resolution of disapproval shall
 3 be decided without debate.

4 (E) CONSIDERATION OF VETO MES-
 5 SAGES.—Debate in the Senate of any veto mes-
 6 sage with respect to a joint resolution of dis-
 7 approval, including all debatable motions and
 8 appeals in connection with the joint resolution,
 9 shall be limited to 10 hours, to be equally di-
 10 vided between, and controlled by, the majority
 11 leader and the minority leader or their des-
 12 ignees.

13 (5) RULES RELATING TO SENATE AND HOUSE
 14 OF REPRESENTATIVES.—

15 (A) COORDINATION WITH ACTION BY
 16 OTHER HOUSE.—If, before the passage by one
 17 House of a joint resolution of that House, that
 18 House receives a joint resolution from the other
 19 House, then the following procedures shall
 20 apply:

21 (i) The joint resolution of the other
 22 House shall not be referred to a com-
 23 mittee.

24 (ii) With respect to a joint resolution
 25 of the House receiving the legislation—

G:\M\18\MCCAUL\MCCAUL_134.XML

12

1 (I) the procedure in that House
 2 shall be the same as if no joint resolu-
 3 tion had been received from the other
 4 House; but

5 (II) the vote on passage shall be
 6 on the joint resolution of the other
 7 House.

8 (B) TREATMENT OF A JOINT RESOLUTION
 9 OF OTHER HOUSE.—If one House fails to intro-
 10 duce a joint resolution under this section, the
 11 joint resolution of the other House shall be en-
 12 titled to expedited floor procedures under this
 13 section.

14 (C) TREATMENT OF COMPANION MEAS-
 15 URES.—If, following passage of the joint resolu-
 16 tion in the Senate, the Senate then receives a
 17 companion measure from the House of Rep-
 18 resentatives, the companion measure shall not
 19 be debatable.

20 (D) APPLICATION TO REVENUE MEAS-
 21 URES.—The provisions of this paragraph shall
 22 not apply in the House of Representatives to a
 23 joint resolution of disapproval that is a revenue
 24 measure.

1 (6) RULES OF HOUSE OF REPRESENTATIVES
 2 AND SENATE.—This subsection is enacted by Con-
 3 gress—

4 (A) as an exercise of the rulemaking power
 5 of the Senate and the House of Representa-
 6 tives, respectively, and as such is deemed a part
 7 of the rules of each House, respectively, and su-
 8 persedes other rules only to the extent that it
 9 is inconsistent with such rules; and

10 (B) with full recognition of the constitu-
 11 tional right of either House to change the rules
 12 (so far as relating to the procedure of that
 13 House) at any time, in the same manner, and
 14 to the same extent as in the case of any other
 15 rule of that House.

16 **SEC. 6. COVERED DEFENSE ARTICLES AND DEFENSE SERV-**
 17 **ICES DEFINED.**

18 In this Act, the term “covered defense articles and
 19 defense services” means those defense articles and defense
 20 services that are provided under any of the following au-
 21 thorities:

22 (1) Section 3 of the Arms Export Control Act
 23 (22 U.S.C. 2753).

24 (2) Section 22 of the Arms Export Control Act
 25 (22 U.S.C. 2762).

G:\M\18\MCCAUL\MCCAUL_134.XML

14

1 (3) Section 36 of the Arms Export Control Act
2 (22 U.S.C. 2776).

3 (4) Section 38 of the Arms Export Control Act
4 (22 U.S.C. 2778).

5 (5) Section 506 of the Foreign Assistance Act
6 of 1961 (22 U.S.C. 2318).

7 (6) Section 614 of the Foreign Assistance Act
8 of 1961 (22 U.S.C. 2364).

◇

Chairman McCAUL. I recognize myself for an opening statement. Recently, we have learned that the administration's ironclad commitment to Israel is not, in fact, ironclad. In an about face, the Biden administration is now withholding critical arms necessary for Israel to win this war. This administration wants to dictate how Israel executes the war they were thrust into. President Biden said "If they go into Rafah, I am not supplying the weapons period." That would be similar for us to say during World War II, my father's war, you can invade all the way up to Berlin, but you can't go into Berlin to finish the job.

President Biden's decision to withhold weapons, the Ranking Member and I signed off on, and were approved and appropriated by Congress, is tantamount to an arms embargo. Israel is in a fight for its very existence and this administration's public break with Israel has only made negotiations and victory more difficult. This decision was made without consulting Congress. We had to learn about it from the media and then President Biden's CNN interview. Congress had a long-standing role in appropriating and overseeing security assistance and arms sales to Israel. Just last month, we tasked a massive assistance package for Israel which was requested by the administration. There were no conditions, new conditions, applied on this aide to Israel and certainly none related to Rafah. The President's policy is circumventing congressional intent. That is why I introduced this bill, the Maintaining Our Ironclad Commitment to Israel Security Act, to make sure that Congress has oversight of any changes the administration makes to previously approved arms sales to Israel.

This bill requires the administration to notify Congress if they are going to make any changes to existing arms sales to Israel. And it gives Congress an opportunity to consider a joint resolution of disapproval regarding those changes. Red lines are meant for our enemies. Red lines are not meant for our allies and our friends. But that is precisely what this administration is doing to Israel. And what a terrible message to send to our allies and an even more dangerous message that we are sending to our adversaries. We need to stand with our partner, Israel, and keep our commitments the way Congress intended. And therefore, I urge my colleagues to support this bill.

Is there any further discussion on the bill? Mr. Meeks is recognized.

OPENING STATEMENT OF RANKING MEMBER GREGORY MEEKS

Mr. MEEKS. Thank you, Mr. Chairman. I welcome Chairman McCaul's effort to increase Congress's visibility into and oversight over U.S. arms transfers to foreign partners and allies, if that is really what he wants to do. And I have heard him use in the plural allies, multiple. We have a lot of them around the world. They are our allies. So Congress' authority shouldn't be narrowly limited to Israel alone or done simply to serve as a politicized attack on the Biden administration.

If we are going to change the process by which Congress exercises its authority and oversight, these changes shouldn't be limited to one country. It should be global in scope and nature.

Unfortunately, this legislation misses the mark. Instead of appropriately recognizing this committee's global oversight role, it continued the GOP's unfortunate politicization of the United States-Israel relationship, just mere days after the Republican majority passed a partisan-led effort attacking the Biden administration and selectively stripping the executive branch of certain prerogatives and authorities. This is not good for Israel.

The fact of the matter is in talking to a number of—the Israeli Ambassador and others, what they want is a joint effort from Congress, bipartisan, speaking as one so that we are not divided, except—it was my hope that we could work to that point as we have done in the past.

Furthermore, this bill establishes a selective and narrowly applied mechanism by which the Republican majority can further politicize the U.S.-Israel relationship. It does so by creating a new joint resolution of disapproval process which only applies to Israel. And unfortunately, in the bill's findings and statements of congressional intent, it mischaracterizes the administration's position and actions regarding the United States-Israel relationship. If you want to ensure Congress and specifically the Foreign Affairs Committee has additional oversight and input into changes by the executive branch to arms sales previously approved by Congress, any such change must be global in scope. This is consistent with our jurisdiction, consistent with our oversight authority, and what we have sought to do on this committee for years.

Additionally, should a future President move to withhold U.S. security assistance or arms transfers to an ally or partner, for example, if a foreign government fails to dig up dirt on a political appointment, Congress must have the ability to exercise its will and prerogative in pursuit of our national security and U.S. foreign policy commitments. Now you all know this is not a hypothetical. We have had a former President, by the name of Trump, take such actions. If a future President with a similar track record and clear affinity for the world's most brutal dictators was to try to pause arms to friends or allies like maybe Ukraine or Taiwan, making this bill apply globally will give Congress the ability to prevent this scenario. So let's make it for all Presidents and let's make it for all our allies, not an ally. And I think the chairman has said allies, plural, not one ally. It should be applicable for all allies.

So therefore, what I will be doing is offering an amendment to expand the scope of this authority and encourage my colleagues to support that amendment and oppose the underlying bill because then we can say something. All of our allies are looking. Ukraine is looking. Taiwan is looking. They are all looking at us and I think this is the way and we all want to make sure that we don't give away the authority that we have as members of the House of Representatives to the executive branch. So if we are serious about bringing it back, then the amendment I am offering would be a bipartisan amendment that will send a message to the rest of the world that the U.S. House of Representatives will stand and make sure that our word is heard. And with that, I yield back.

Chairman McCAUL. The gentleman yields. Is there any further discussion on the bill?

Ms. KIM.

Mrs. KIM OF CALIFORNIA. Thank you, Chairman McCaul and Ranking Member Meeks for holding today's markup. I support H.R. 8437, the Maintaining Our Ironclad Commitment to Israel Security Act. This bill will ensure that there is strong congressional oversight over the administration's proposed changes of arms sales to Israel. Congress passed, in a bipartisan vote, much needed aid to support our ally, Israel. And President Biden signed this into law. But earlier this month, President Biden switched course and defied Congress by announcing that we would pause weapons transfers to Israel, despite his claim that his commitments to Israel haven't changed.

Hamas will capitalize on any delays and exploit the messaging around such a move as is it doing with the move by the International Criminal Court to pursue arrest warrants for Israeli leaders which makes a dangerous equivalency of Israel's actions to that of Hamas. Let's not forget that Israel was attacked by terrorists on October 7th and has a right to defend itself. The administration needs to stop playing political games with Israel's security. We would be fools to think that an attack like this couldn't happen again in the future if Israel cannot eliminate Hamas and we would be naive to think just Israel is at risk. So I urge my colleagues to support this bill and I yield the balance of my time.

Chairman McCAUL. The gentlelady yields. Any further discussion on the bill? Mr. Lieu is recognized.

Mr. LIEU. Thank you, Chairman McCaul. Thank you for your support of the National Security Supplemental Package that provided aid to Israel as well as Ukraine and Indo-Pacific. I would be concerned if the administration or any administration were to withhold military aid that Congress has approved and appropriated. And so I am just curious, why don't you just make this bill every country? Because we wouldn't want the administration to say let's not give a particular weapons systems to Ukraine either, right? So I am just sort of curious if you would just amend it to just apply to every country.

Chairman McCAUL. And we will be entertaining that argument and discussion when Mr. Meeks offers his amendment to this bill.

Mr. LIEU. Got it. Thank you. I yield back.

Chairman McCAUL. Any further discussion on the bill? There being no further discussion on the bill, the committee will move to the consideration of amendments. Does any member wish to offer an amendment? Mr. Meeks is recognized.

[The Amendment offered by Mr. Meeks follows:]

G:\CMTE\FA\18\H8437_AMD.XML

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 8437
OFFERED BY MR. MEEKS OF NEW YORK**

In section 1, strike the quoted matter and insert
“Maintaining Our Commitment to Security Act”.

Strike section 2 and redesignate subsequent sections
accordingly.

In section 2 (as so redesignated), strike paragraphs
(1), (2), and (3) and insert the following:

- 1 (1) Congress plays an important and constitu-
- 2 tionally vital role in foreign policy in accordance with
- 3 the Constitution’s Article I authority vested in Con-
- 4 gress; and
- 5 (2) congressional committees must have full
- 6 and sufficient visibility into and oversight over exec-
- 7 utive branch implementation of foreign policy, in-
- 8 cluding with respect to implementation of the For-
- 9 eign Assistance Act of 1961, the Arms Export Con-
- 10 trol Act, and other relevant authorization laws.

In the heading to section 3 (as so redesignated),
strike “TO ISRAEL”.

In subsection (a) of section 3 (as so redesignated), strike “to Israel” and insert “to any foreign country”.

In subsection (b) of section 3 (as so redesignated)—

(1) in paragraph (4), strike “to the Government of Israel” and insert “to the government of the recipient country”; and

(2) strike paragraph (7) and insert the following:

1 (7) A detailed analysis of the extent to which
2 covered defense articles and defense services may be
3 used to violate United States laws, including the
4 Foreign Assistance Act of 1961, the Arms Export
5 Control Act, and other relevant authorization laws.

In subsection (c) of section 3 (as so redesignated), strike paragraph (2) (and make appropriate technical and conforming changes).

In subsection (a) of section 4 (as so redesignated), strike “to Israel” and insert “to any foreign country”.

Strike subsection (d) of section 4 (as so redesignated) and redesignate subsequent subsections accordingly.

In subsection (d) of section 4 (both as so redesignated), strike “to Israel” and insert “to the recipient country”.

In subsection (e) of section 4 (both as so redesignated)—

(1) in the quoted matter in paragraph (1)(A), strike “to Israel” and insert “to the recipient country”;

(2) in the quoted matter in paragraph (1)(B)—

(A) strike “to Israel” and insert “to the recipient country”; and

(B) strike “section 4(b) of the Maintaining Our Ironclad Commitment to Israel’s Security Act” and insert “section 3(b) of the Maintaining Our Ironclad Commitment to Security Act”.

Amend subparagraph (A) of paragraph (2) of section 4(e) (as so redesignated) to read as follows:

1 (A) in the House of Representatives, by
2 the majority leader, the minority leader, or the
3 Chair or Ranking Member of the Committee on
4 Foreign Affairs; and

Amend subparagraph (B) of paragraph (2) of such section 4(e) (as so redesignated) to read as follows:

G:\CMTE\FA\18\H8437_AMD.XML

4

1 (B) in the Senate, by the majority leader
2 (or the majority leader's designee), the minority
3 leader (or the minority leader's designee), or
4 the Chair or Ranking Member of the Com-
5 mittee on Foreign Relations.

In section 5 (as so redesignated), strike paragraphs
(5) and (6).

◇

Mr. MEEKS. This amendment provides a joint resolution——

Chairman McCAUL. If the gentleman will pause. The

Clerk shall distribute the amendment. And the Clerk shall report the amendment.

The CLERK. Amendment to the amendment in the nature of a substitute to H.R. 8437 offered by Mr. Meeks of New York. In Section 1, strike the quoted matter——

Chairman McCAUL. Without objection, further reading of the amendment is dispensed with. The gentleman from New York is recognized for 5 minutes.

Mr. MEEKS. Thank you, Mr. Chairman. This amendment revises the Joint Resolution of Disapproval, the JRD process of the chairman's underlying bill to make the process global in nature instead of being solely applicable to Israel. It also revises the title, replaces the sense of Congress' section to affirm Congress' constitutionally vital role in foreign policy, as well as affirms the importance of congressional committees having full visibility into the oversight over executive branch implementation of the Foreign Assistance Act and Arms Export Control Act.

The amendment also provides for the chairs and the ranking members of HFAC and SFRC, as members who can introduce joint resolutions of disapprovals. While Chairman McCaul's bill only authorizes leadership to do so, and adds certain criteria to the elements in Section 4 requiring the administration to analyze and report the extent to which defense articles may be used to violate U.S. laws including the AECA and FAA.

As I stated earlier, if we are to increase Congress' role in oversight over executive branch changes in policies regarding arms transfers, we should do so across the board uniformly and consistently. We should also further empower this committee, not only a select few leadership offices in carrying out this responsibility, given our unique role and insights into foreign policy matters. That is what this committee is all about and generally, we try to do these things in a bipartisan way, irrespective of who is in charge, but working collectively together for the benefit of the United States of America and the voices of the people.

As I continue to say, I do support greater insight and oversight authority. I think Congress needs to make sure that we are the voices of the people, but not as the product of this single and I believe politicized attack as we heard just focused on Joe Biden. That is it. It gives them an avenue to say Joe Biden didn't do this or Joe—but let's talk about our jurisdiction as part of a broader effort to increase this body's oversight responsibilities. That sounds reasonable, sounds like something we could do collectively. So I think that both Democrats and Republicans should support this amendment and we are strengthening thereby our authority as members of the House Foreign Affairs Committee and we should do that jointly. And with that, I yield back the balance of my time.

Chairman McCAUL. The gentleman yields. I now recognize myself in opposition of this amendment. While I appreciate the desire to expand the scope of this bill and I appreciate the arguments the ranking member has made, I just want to take a moment to remind everyone what brought us here today at this moment in time. This bill, as its name suggests, is intended to reaffirm Congress'

enduring ironclad, as the President said, commitment to our friend and ally, Israel. Since 1948, the request of both Democrat and Republican administrations, Congress has appropriated some \$130 billion to Israel to help maintain its qualitative military edge. And despite the historically close coordination between Congress and the Executive on this issue, it has become clear in recent weeks that the Executive no longer feels compelled to work with us to ensure Israel's security needs are met as they have in the past. We have to find out about the pause in weapons shipments from the news, not from the administration. I believe that is unacceptable.

Why single out Israel, you may ask? Because this President singled out Israel by taking the unprecedented step of publicly threatening to defy congressional intent by withholding weapons to Israel including those already approved by this committee with zero congressional consultation. This, in my view, creates a damaging perception that despite our security assistance agreement, our commitment to help maintain Israel's military edge, Israel's major non-NATO ally status, and multiple bilateral cooperation agreements that the United States is not a reliable partner in times of Israel's need. This will only embolden our adversaries and drive our allies and partners to deepen relations with our adversaries like Russia and China. It also flies in the face of decades long bipartisan, bicameral support for Israel in historically close cooperation between the executive branch and Congress.

This bill is intended to address exactly that, to restore the trust and transparency that has historically existed between our co-equal branches of government when it comes to Israel. We do not need to address hypotheticals when we are facing an urgent problem that needs to be addressed today. And that is why I respectfully oppose this amendment and I yield back the balance of my time.

Is there any other members that seek recognition? Mr. Issa is recognized. No, I am sorry, Mr. Castro.

Mr. CASTRO. Thank you, Chairman. I first want to say that I completely understand and agree with the need for greater congressional oversight over the arms transfer process. And while I strongly agree with President Biden's decision to withhold 500 pound and 2,000 pound bombs, given the devastating effects they would have in a Rafah operation that Prime Minister Netanyahu seems committed to, I also believe that the administration must be more transparent with the U.S. Congress on the assistance we provide, not just to Israel, but all countries that purchase U.S. weapons. There is a need for greater oversight over U.S. security assistance and arms sales and I would more than happy to work with the members of this committee on how we can achieve that.

Unfortunately, I believe that H.R. 8487 is not a bill that I can support. It would lay out a process that solely deals with arms transfers to one country, Israel, but I believe we must not hold Israel to a different standard than other countries we provide weapons to. In other words, this bill should apply to everyone. I support Ranking Member Meeks' amendment which would apply the provisions of the bill equally to any foreign country. I also believe that this Congress must be more vigilant in conducting oversight over these transfers. I believe all of us, Democrats and Republicans, can agree that addressing the conflict in Gaza is urgent.

The stakes cannot be higher for both Israelis and Palestinians and that the United States must lead.

I hope this committee will hold more full committee hearings on this conflict including on the transfer of weapons to Israel so that members of the committee can raise these important questions to the administration with that forum. I urge my colleagues to support this amendment as well and I yield back.

Chairman MCCAUL. The gentleman yields. Any other members seek recognition? Mr. Issa is recognized.

Mr. ISSA. I thank the chairman. I am going to associate myself in many ways with all of the previous speakers. I think that we should do greater oversight on all weapons transfers. We should, in fact, assert our position. We should, in fact, know why weapons are being withheld. All of that is not what is before us today. And so what I want to do is call this what it is, a first step, an appropriate one. And I want to make people aware of something that perhaps is more significant, in my view, than the 500 and 1,000 pound bombs that may or may not be used in this fight.

The President has said that if the Israeli Government will do what they ask, then they will deliver to them the locations and the targeting information of high ranking Hamas leaders. The other way of saying it is this administration, for whatever reason, is withholding information that would allow more accurate targeting of the actual people who are the targets of this war. This war cannot and should not be about targeting innocent Palestinians. This should not be about targeting facilities. This should and must be about targeting, in fact, the Hamas leaders on the behest of Iran who murdered a thousand innocent Israelis on October 7th.

So what bothers me the most and the reason that I will take any first step with my chairman here is that, in fact, this administration could be delivering and assisting in the micro-targeting of the actual culprits and until we are willing to do that, we are part of what has been a huge amount of what some may call collateral damage. I want that collateral damage, as it is called, to end. And I want the President and this administration, the Department of Defense, and anyone else, the CIA, who may have information that would allow us to rescue the hostages, kill or capture those who perpetrated this incredible crime on October 7th. That is what this war should be about and that is what American participation should be about. And when I voted with the chairman and virtually everyone on this dais, to provide aid to Israel, the intention was to provide them the ability to defend themselves with the assumption that America would stand by our ally's side and help them bring this war to an end by finding and either capturing or killing those who perpetrated the crime and rescuing hostages including Americans.

So Mr. Chairman, I stand ready to vote with you, as soon as you call the question, and I yield back.

Chairman MCCAUL. I appreciate the gentleman's comments. Do any other members seek recognition?

Mr. CONNOLLY.

Mr. CONNOLLY. Thank you, Mr. Chairman. I want to express my support and gratitude to the Ranking Member for his alternative. Mr. Issa talks about first step, supporting your underlying ANS as

a first step. I don't understand why we only want to take the first step when we have an opportunity to take a more comprehensive step in codifying how Congress reasserts control over the shipment of armaments to allies. And why we would only pick one example over lots of others escapes me. And I would also say that I certainly share the distinguished gentleman from California's concern about tracking down Hamas terrorists. I also believe we have to protect civilians in Gaza. There cannot be any justification for 35,000 deaths in Gaza as collateral damage in going after Hamas.

And so I believe the Executive ought to have the ability to make discretionary judgments in trying to prevent those civilian casualties while Congress continues to exercise oversight over that discretionary judgment. And that is what Mr. Meeks' amendment would do, not only for Israel, but for other countries with which we have deep and longstanding military supply relationships, Saudi Arabia, Egypt, and other countries in the region.

And so I think we have an opportunity here to improve on the chairman's amendment and assert, reassert congressional control pursuant to the inherent powers of Article 1 of the Constitution. So I am going to support Mr. Meeks' substitute amendment and urge my colleagues to give careful consideration to it as we deliberate in this markup. I thank the chair and I yield back.

Chairman McCAUL. The gentleman yields. Any other members seek recognition?

Mr. Barr is recognized.

Mr. BARR. Mr. Chairman, I oppose the ranking member's amendment, not because it goes to the second step, but because it doesn't go to the third step. If we actually want to exercise oversight over the executive branch's conduct of foreign policy in a comprehensive way, as my friend from Virginia suggests, then we should do far more than exercise oversight over arms shipments.

We should exercise oversight in a more robust way over the executive branch's mismanagement of a wide range of foreign policy missteps, not just a failure to full-throatedly defend our ally Israel, but also the sanctions relief that this Administration has offered to our adversaries, the Chinese Communist Party, in a unilateral way, in the AIPAC Summit where they offered up-front concessions to the CCP in exchange for the promise down the road of some assistance by Beijing on the shipment and the export of precursors of fentanyl poisoning Americans that has never been reciprocated by the CCP.

Or why not conduct searching oversight over the executive branch's mismanagement of sanctions relief of Iran, \$80 billion in oil revenues by the mullahs in Tehran gained by this effort to revitalize a JCPOA 2.0 that literally funded October 7? Or what about more searching oversight over the sanctions relief that this Administration continues to provides for Vladimir Putin, allowing the Department of Treasury, allowing Putin to fund aggression in Ukraine, opposing my amendment to impose the type of sanctions that would cripple Putin's war machine in the supplemental that we offered to you Ukraine?

If you really want to take the second step and the third step as my friends on the other side of the aisle say, why don't we amend the ranking member's amendment so that this committee actually

has more comprehensive oversight over the mismanagement of foreign policy by this Administration?

I oppose the amendment because the suggestion that this just doesn't go far enough doesn't hold water, because all of us need to do a better job with oversight over the——

Mr. MEEKS. Would the gentleman yield?

Mr. BARR [continuing]. Massive failures of this Administration's foreign policy. And the weakness that the Biden Administration is projecting on the world's stage in every conflict ranging from Israel, Ukraine, and our defense of Taiwan. Everything this Administration does is inviting aggression from adversaries.

So if you really want oversight, if you want to take a step further than the chairman's bill, we need to amend the ranking member's amendment to give us a whole lot of more—a whole more oversight over everything that this Administration is doing to invite aggression, not just from Hamas, but from all of our adversaries. I yield.

Mr. MEEKS. Would the gentleman yield?

Mr. BARR. I yield.

Mr. MEEKS. Thank you. Sounds like the gentleman agrees with me though. You would agree that then we shouldn't be focused just on Israel. We should be focused on all of the other countries also. So that is what this amendment really is. It is so that we not just focus on one country. Let's focus—and it is this President and any other President——

Mr. BARR. Yes, will——

Mr. MEEKS [continuing]. So that we have more power——

Mr. BARR [continuing]. The gentleman——

Mr. MEEKS [continuing]. And focus on Ukraine——

Mr. BARR. I will reclaim my time and ask my friend, the gentleman from New York, the question: Would the gentleman entertain my idea not only to have the additional extension of oversight over arms shipments and other contexts in other countries, but also providing additional congressional oversight over the sanctions relief policies that this Administration has chased on Russia, giving Russia a pass on energy, giving China a pass on fentanyl? Would the gentleman extend his concern to all of the weakness in every context of this Administration?

Mr. MEEKS. This bill is not just an oversight, and even from what I hear, of just Biden. It is for any President, now and in the future because we could argue in the past about any President's international policies concerns. I could argue about some that was wrong when Donald Trump agreed

[inaudible]——

Mr. BARR. Reclaiming my time. Reclaiming my time. I would entertain an amendment that actually did what the gentleman is suggesting, which is to say to assert congressional oversight and retain our authority over sanctions relief. The fact that the Biden Administration has provided a lifeline to Vladimir Putin by consistently and repeatedly giving this thug in Moscow the ability to finance this war shows weakness. The fact that this Administration continues to provide sanctions relief to Beijing when they are systematically poisoning the American people, we should be asserting oversight over that as well.

So if the gentleman would entertain the idea of amending his amendment so that we could assert a veto over the sanctions relief that this Administration has delivered to all of our adversaries all over the world, I might be more interested in the gentleman's amendment.

Mr. MEEKS. We can talk about that as long as it is for any President, even future Presidents, not just this one Administration. We are talking about the ultimate authority of this committee for any President of the United States.

Mr. BARR. Well, I agree with that. I agree with that. This shouldn't be a partisan issue. It is about the congressional role and foreign policy. And the idea that we should not have a role to play in stopping misguided policies like a JCPOA, which literally financed Hamas' war against Israel, suggests that we should have a larger role here. I yield.

Chairman MCCAUL. The gentleman's time is expired.

Do any other members seek recognition?

Mr. Sherman?

Mr. SHERMAN. Mr. Chairman?

Chairman MCCAUL. Mr. Sherman?

Mr. SHERMAN. I like the chairman's bill. I like the ranking member's amendment. I even like Mr. Barr's idea. I will vote for the chairman's bill. I will vote for the ranking member's amendment. I can't vote for Mr. Barr's idea because he hasn't drafted it yet. But I would join him in the idea that it is time for Congress to play a more assertive role in foreign policy.

This committee should have a State Department authorization bill every year, and it should be tied to foreign opps approps or NDAA so that the Senate has to deal with State Department authorization every year rather than just ignoring whatever authorization bill we pass.

Now this bill is modest, but it is a modest step toward congressional oversight over something very similar to something we already have oversight of. We have oversight over the green light. The President wants to send a weapon system. Mr. McCaul, Mr. Meeks have to sign off. Well it is just as important a decision for the President to have a red light and to say that certain weapons are not going to be transferred to Israel.

And as I understand this bill, it creates a similar approach. It would take a unified Congress to actually prevent the President's red light from being applicable. As I understand this bill, it would not only take an affirmative vote of both houses to require the President to ship the weapons, in this case to Israel, but that would be subject to a veto. We would need two-thirds, but at least we would have some congressional oversight and some congressional say in a unified congress, should that ever occur—could actually override a Presidential decision.

Article 1 of the Constitution is Article 1 because our Founders wanted to put policymaking in the hands of the elected representatives of the people. Especially in the foreign policy area things have drifted way too far.

So I like a bill that deals with Congress having a role in this important decision as to whether—and future decisions on arms shipments to Israel. I like the amendment that broadens that idea to

all arms shipments and all red lights that Presidents might have. And I am happy to talk to Mr. Barr about his legislation, but I can't fail the vote for a good bill and a good amendment in favor of an idea because I can't vote for an idea. And I yield back.

Chairman MCCAUL. The gentleman yields.

Any other members seek recognition? Ms. Dean?

Ms. DEAN. Thank you, Chairman McCaul and Ranking Member Meeks. I rise in support of the ranking member's amendment to the amendment in the nature of a substitute to H.R. 8437.

This amendment simply takes the process proposed by the underlying legislation by the chairman and makes them more broadly applicable, quote, "to any foreign country." All of our allies, anybody that we send weapons to, instead of singling out making this unique to Israel.

Expanding the scope of these processes to include all countries would ensure consistency in how Congress exercises oversight over the proposed executive branch changes to arms sales on the global basis.

What is key to know: The core provisions of the underlying legislation that outlines the notification, the review, the congressional disapproval processes would remain applicable to Israel. There is no reason to worry about Israel because they—Israel would be protected, our oversight ability would be protected in this amendment. It would just apply to any other country receiving U.S. defense articles or services.

If the intent of this bill is truly to strengthen the ability, our ability in Congress to perform our valuable responsibility of oversight of executives pauses to arms sales, then there should be no hesitation in adopting this amendment. It only expands and confirms congressional visibility into these activities.

I want to correct the record on one thing that the gentleman from California said, his concern over microtargeting, the ability of Israel to microtarget. Let's remember what this pause was, it is. It is on 18 hundred 2,000-pound bombs. These are not bombs that are microtargeting Hamas leaders. These are devastating 2,000-pound bombs that we have seen used over and over again in the same area, for example, risking and causing the loss—a great loss of civilian life. And the President put the pause on for the use in Rafah, a densely populated area filled now with many refugees.

What I am thinking about is what is important: We need to send the world a joint statement from all of us of our oversight obligations and responsibilities. Honorable members, what we do here matters, legislating not just for one country, more importantly legislating not just for one President, most importantly not just legislating for one political season. Let's take this legislation out of the political season and confirm our obligations of oversight in a long-term, long-living way that legislation ought to be about, not about the next six, eight, seven, 8 months.

I urge my colleagues to support Mr. Meeks' amendment. It is wise, it is global, it sends the right message of bipartisanship, and it sends the right message about what our obligation is in a bipartisan way in oversight over any administration. And I yield back.

Chairman MCCAUL. The gentlelady yields.

Any other members seek recognition? Ms. Kamlager-Dove.

Ms. KAMLAGER-DOVE. Thank you, Mr. Chair. I yield my time to Ranking Member Meeks.

Mr. MEEKS. Thank you.

I just have to reply to one thing that the chairman said, and that is talking about or doubting the ironclad commitment that Joe Biden has to Israel, because I don't think anyone should be able to doubt his ironclad commitment to Israel.

Joe Biden was the first United States President to fly into Israel during war time. No other President has done that. Joe Biden has provided Israel with billions of dollars for her self-defense. And Joe Biden is the only President of the United States that sent U.S. troops to defend Israel from Iranian missiles. That is ironclad defense of Israel.

No other President has done it.

And I also want to remind my Republican friends that seems to forget that Ronald Reagan held back weapons to Israel on two occasions. But even really reminding my Republican friends of what they did, which—why I—made then under the same scenario can say I question their ironclad commitment to Israel. Because the Republican majority held back supplement aid to Israel for 6 months while Israel was at war. That is what the majority—they themselves held back aid to Israel for 6 months.

So the credentials and the commitment of the Biden Administration to Israel, in my viewpoint, is unquestioned. I yield back.

Chairman MCCAUL. The gentleman yields back.

Any other members seek recognition? Mr. Phillips.

Mr. PHILLIPS. Thank you, Mr. McCaul, for bringing this measure to the committee. I am grateful to you and the ranking member's leadership in this space and appreciate your interest in robust congressional oversight of the U.S. arms sales to our allies and partners.

I have long been a steady and staunch advocate for Israel's security and for their right to exist and defend itself. Israel faces a myriad of threats from Iran and its proxies including Hezbollah in Lebanon, the Houthis in Yemen, and of course Hamas in Gaza.

On October 7, Hamas launched a horrific attack in Israel which killed 1,200 people. Twelve hundred people brutally. Two hundred and fifty-two take hostage including Americans, which I got to tell you I am ashamed and appalled that this isn't front and center every single day that Americans continue to be held hostage by a terror group in Gaza for months. It resulted in the worst massacre of Jews since the Holocaust and President Biden has consistently repeated, and I will reiterate, that Israel has a right to defend itself from terror and to assure that Hamas is dismantled and will never again be able to perpetrate another October 7 attack, ever again.

I have also expressed clear disappointment with Prime Minister Netanyahu's leadership of Israel and prosecution particularly of this war. And I have openly pushed for a comprehensive cease-fire that would facilitate the return of all hostages, allow an influx of humanitarian aid to—much needed aid to civilians and the removal of Hamas from power in Gaza once and for all.

Now, I disagree, I disagree with the President's decision to pause certain limited weapons shipments to Israel because I believe it

moves us further away from those stated goals and only strengthens Hamas' hand. Members of Congress should have the opportunity to engage with the Administration on these decisions and to put forward a joint resolution of disapproval if they do not find the Administration's reasoning sufficient or believe such a decision would put U.S. or allied security in jeopardy.

And that is why I support Mr. Meeks' proposed amendment that would broaden the scope of this bill to include congressional oversight over any, over any Administration's decision to pause, suspend, delay the delivery of defense articles or services to any country for any reason at all.

However, I am concerned about moving ahead with legislation like this in the case of Israel specifically. We talk a lot in this body about a double standard that exists with respect to how Israel is treated on the international stage vis—vis other countries. And I agree.

Earlier this week we saw this happen with the International Criminal Court, the ICC, in which the prosecutor equated Israel with Hamas. Equated Israel with Hamas and acted against Israeli leaders without so much as hearing from the Israeli government regarding its own comprehensive investigative procedures and accountability mechanisms that are currently in place. And yet when the majority moves to upend the existing arms sale process to create a different standard just for Israel, it only ends up being used by Israel's adversaries to undermine Israel's credibility.

I believe Congress must be allowed to provide oversight and push back when appropriate against any Administration's decision to withhold arms to any country. I will say it again: Any Administration's decision to withhold arms to any country, not just Israel.

Therefore, I support Ranking Member Meeks' amendment and I do urge my colleagues on both sides of the aisle to support it as well. With that, I yield back. Thank you, Mr. Chair.

Chairman McCAUL. The gentleman yields.

Any further discussion? Mr. Stanton. Schneider. Excuse me.

Mr. SCHNEIDER. Thank you, Mr. Chairman. I rise in support of the ranking member's amendment to the chairman's amendment in the nature of a substitute.

Let me first say I want to associate myself with my colleague's—previous speaker's remarks regarding the ICC actions this week. It is outrageous. The false equivalency between Hamas and Israel must not be allowed to stand and I look forward to speaking with Secretary of State later today on actions the United States might be considering to take.

With respect to this bill I am pleased the majority has gone out of its way to highlight the Obama administration's work on the U.S.-Israel MOU that provides the core legal foundation for our support for Israel.

I publicly disagreed with President Biden and the Administration's recent decision to delay a single weapons shipment to Israel as Israel is fighting an existential war, but I must take serious issue with the lack of context in the bill's finding section as President Biden, Secretary Blinken, and National Security Advisor Sullivan have repeated again and again the U.S. commitment to

Israel's defeat of Hamas in Gaza and to its long-term security is ironclad.

President Biden was the first President to visit Israel in war-time, 11 days after Hamas' barbaric attack on October 7. The U.S. sent two carrier strike groups to the region and is leading a—and led the coalition that defeated Iran's attack on April 13. The U.S. is leading the coalition striking the Houthis in Yemen and is working to make sure that Israel has what it needs to successfully defeat Hamas. The U.S. has sent hundreds of arms shipments to Israel since October 7 with President Biden most recently providing congressional notice that he was approving an additional \$1 billion in sales.

Israel has no closer and more—or no more reliable friend in the world than the United States and the United States has no more important ally in the Middle East. And I am committed to keeping in that way.

To the heart of the bill I very much support the chairman's view that Congress must play an important role in supporting aid to our allies, however the U.S.-Israel relationship should be a model for how we work with our closest allies across the world.

If a future administration should decide to abrogate our commitments to NATO, commitments established by Congress, or Ukraine, or Taiwan, Congress must be able to first—to use these tools to assert its prerogative on those matters as well.

The ranking member's amendment shows that the ironclad U.S.-Israel relationship should be a model rather than an isolated instance. The United States must support our allies in Europe, the Middle East, and the Indo-Pacific and do so consistently and reliably.

I urge my colleagues to support the ranking member's amendment. I yield back.

Chairman MCCAUL. The gentleman yields.

Any further discussion on the amendment?

There being no further discussion, the question now occurs on the amendment offered by Mr. Meeks.

All those in favor, signify by saying aye?

All those opposed, signify by saying no?

In the opinion of the chair, the noes have it and the amendment is not agreed to.

Mr. MEEKS. I ask for a roll call.

Chairman MCCAUL. Roll call vote has been requested. Pursuant to the chair's previous announcement, this vote will be postponed.

Are there any further amendments? Mr. Self is recognized.

Mr. SELF. Thank you, Mr. Chairman. I speak on behalf of Mr. Davidson's amendment to H.R. 8437, the Arms Sales—

Chairman MCCAUL. If the gentleman will pose, the clerk shall distribute the amendment.

[The amendment offered by Mr. Davidson follows:]

G:\M\18\DAVIOH\DAVIOH_128.XML

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 8437
OFFERED BY MR. DAVIDSON OF OHIO**

Page 4, line 7, after “appropriations accounts” insert “and Public Law number”.

Page 14, strike lines 5 and 6.



Chairman MCCAUL. The clerk shall report the amendment.

The CLERK. Amendment to the amendment in the nature of a substitute to H.R. 8437 offered by Mr. Self of Texas. Page 4, line 7. After "appropriations account" insert "and public law number." Page 14. Strike—

Chairman MCCAUL. Without objection, further reading of the amendment is dispensed with.

The gentleman from Texas is recognized for 5 minutes on the Davidson amendment.

Mr. SELF. This is directly applicable to our previous discussions. Section 6 of this bill defines the type of "covered defense articles and services" that this bill applies to. Specifically, subparagraph 5 includes Section 506 of the Foreign Assistance Act of 1961, better known as Presidential draw-down authority.

Mr. Davidson's amendment would strike this language and remove the Presidential draw-down authority from the definition. Since the October 7th attack, the President has not notified Congress regarding his use of the draw-down authority for Israel.

Allowing this provision to remain in the bill sets a terrible precedence that permits Congress to intervene in that process if any President chooses to pause, suspend, delay, or abrogate the delivery of items to a foreign nation, even as part of a policy review.

The PDA is meant to be a unilateral capability that allows the President to transfer defense articles and services from U.S. stockpiles to foreign countries without congressional approval during an emergency. Earlier this month, we saw President Biden delay shipments of bombs with precision guidance for use against tunnels to Israel, an action which Mr. Davidson and I strongly oppose.

H.R. 8437 should stay narrowly focused on this circumstance by only including foreign military sales and direct commercial sales in its definition of covered defense articles and services under Section 6.

Again, I want to be clear, while this administration recently delayed the delivery of weapons approved by Congress, there isn't a single incidence since October 7th where this administration halted delivery of weapons to Israel through the use of his draw-down authority. I believe this is a fair amendment and allows every future President to maintain discretion over draw-down authority.

If our colleagues want to discuss reforms to PDA, then Mr. Davidson and I am happy to have that conversation, but this bill is not the way to go about it. Precedent is powerful, and we should not set this dangerous precedent in this bill.

In addition, Mr. Davidson's amendment also addresses Section 4 of this bill, which outlines information that a congressional notification must contain if a sale to Israel is paused, suspended, delayed, or abrogated. Specifically, No. 5 on that list includes a description of the source of funds. However, it only asks for the identification of an applicable appropriations account.

Congress recently passed pro-Israel packages, such as the Further Consolidated Appropriations Act and the Israel Security Supplemental Appropriations Act. This amendment simply amends this subparagraph to add in a public law number. This ensure members would know the actual appropriations account in question

in the law passed by Congress in which funding was allocated for the defense articles and services.

For example, both of these appropriations bills included funding for the foreign military financing program for Israel. If this administration or any future administration pauses an FMS sale to Israel or an FMF sale, the appropriations account listed in their notification would be the same.

There would be no difference. We wouldn't know the law. However, the public law number would be different.

Moving forward, it is important for Congress to differentiate between all these packages so we know exactly what is being paused and why. The more information we have, the more thorough the congressional review process can be.

It would mean that Members of Congress can be confident about their votes on a disapproval resolution if a circumstance eventually amounts toward that action.

Mr. Davidson thanks the chairman and his staff for their work on this amendment. I urge my colleagues to support it, and with that, I yield back.

Chairman MCCAUL. The gentleman yields back. Let me say I support this amendment, the Davidson amendment. I thank the gentleman for this amendment to remove Presidential draw-down authority from the bill.

This authority, as you pointed out, has not been used for Israel in many years. This amendment addresses specific aspects of the base bill, and I am grateful for the gentleman's efforts to improve the text. And I urge support from my colleagues on this amendment.

Does any other member seek recognition on this amendment? There being no further discussion, the question now occurs on the amendment offered—the Davidson amendment offered by Representative Self. All those in favor, signify by saying aye.

(Chorus of ayes.)

Chairman MCCAUL. All those opposed, signify by saying no.

(Chorus of noes.)

Chairman MCCAUL. In the opinion of the chair, the ayes have it and the amendment is agreed to.

Are there any further amendments? Mr. Castro is recognized.

Mr. CASTRO. Thank you, Chairman. I would like to call up amendment that is at the desk, Castro 110.

[The Amendment offered by Mr. Castro follows:]

G:\M\18\CASTTX\CASTTX_110.XML

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 8437
OFFERED BY MR. CASTRO OF TEXAS**

At the end of the amendment, add the following:

1 **SEC. 7. MODIFICATION TO PRIOR NOTIFICATION OF SHIP-**
2 **MENT OF ARMS.**

3 Section 36(i) of the Arms Export Control Act (22
4 U.S.C. 2776(i)) is amended—

5 (1) by striking “at the joint request of the
6 Chairman and Ranking Member of the Committee
7 on Foreign Relations of the Senate or the Com-
8 mittee on Foreign Affairs of the House of Rep-
9 resentatives”; and

10 (2) by inserting “the Chairperson and Ranking
11 Member of” before—

12 (A) “the Committee on Foreign Relations
13 of the Senate”; and

14 (B) “the Committee on Foreign Affairs of
15 the House of Representatives”.

◇

Chairman McCAUL. The clerk shall distribute the amendment.

The clerk shall report the amendment.

The CLERK. Amendment to the amendment in the nature of a substitute to H.R. 8437, offered by Mr. Castro of Texas. At the end of the amendment, add the following: Section 7 modification——

Chairman McCAUL. Without objection, further reading of the amendment is dispensed with. The gentleman is recognized for 5 minutes.

Mr. CASTRO. Thank you, Mr. Chairman.

The underlying Arms Export Control Act has a provision that requires the President to notify this committee of any delivery of defense articles if the chairman and ranking member of this committee jointly request that notification.

As written, the law requires that the chair and ranking member jointly request that the President provide notice of the delivery of defense articles, subject to the Arms Export Control Act.

The chair and ranking member have to request a notification for a particular foreign military sale transfer, and therefore need to know about the impending delivery in order to request such a notification, defeating the whole purpose of the provision.

Under my amendment, the President would need to notify the chair and ranking member of this committee and also its Senate counterparts, of any shipment of defense articles covered by the Arms Export Control Act. This amendment would give this committee access to the information necessary to truly conduct oversight over arms transfers, including this law, and I urge my colleagues to support my amendment.

Chairman McCAUL. The gentleman yields.

Mr. CASTRO. Yield back.

Chairman McCAUL. Any further discussion on the amendment? Mr. Burchett is recognized.

Mr. BURCHETT. Thank you, Mr. Chairman, ranking member.

I oppose this amendment because it is beyond the scope and purpose of the bill. This amendment is not focused on the matter at hand. Instead, this sets a global requirement for the President to notify shipments of all notified sales.

What the President did in this case is after a shipment was ready to get delivered by boat or plane, he stopped that shipment, regardless of whether Congress was notified of a sale or not, including the date of its proposed shipment.

The problem we are facing is that the President stopped the shipping—shipment, excuse me, before it went out to Israel. The President also showed in his actions that he wouldn't inform Congress first.

Instead, Congress learned about this and held shipments—about the held shipment when the President went on television and broadcast his decision to the world, and that is when I heard about it. This amendment does not address that unilateral action by the President, and therefore I oppose it.

Thank you, Mr. Chairman.

Chairman McCAUL. The gentlemen yields. Any other member seek recognition? There being no further discussion, the question now occurs on the amendment offered by Representative Castro, No. 110. All those in favor, signify by saying aye.

(Chorus of ayes.)

Chairman McCAUL. All those opposed, signify by saying no.

(Chorus of noes.)

Chairman McCAUL. In the opinion of the chair, the noes have it, and the amendment is not agreed to.

Mr. CASTRO. I ask for a recorded vote, Chairman.

Chairman McCAUL. A roll call vote has been requested. Pursuant to the chair's previous announcement, this vote will be postponed.

Are there any further amendments? There being no further amendments—

Mr. CASTRO. Chairman, I would like to call Sherman amendment No. 102.

[The Amendment offered by Mr. Sherman follows:]

G:\M\18\SHERMA\SHERMA_102.XML

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 8437
OFFERED BY MR. SHERMAN OF CALIFORNIA**

Page 1, after line 5, insert the following (and redesignate subsequent paragraphs accordingly):

- 1 (1) United States administrations from both
- 2 parties have previously temporarily withheld security
- 3 assistance or arms sales to Israel, including in 1956,
- 4 1967, 1975, 1981, 1982, and 2014.



Chairman MCCAUL. The clerk shall distribute the amendment.

The clerk shall report the amendment.

The CLERK. Amendment to the amendment in the nature of a substitute to H.R. 8437, offered by Mr. Castro——

Chairman MCCAUL. Without objection, further reading of the amendment is dispensed with. The gentleman from Texas is recognized for 5 minutes on the Sherman amendment.

Mr. CASTRO. Chairman, you know——

Chairman MCCAUL. Mr. Sherman is recognized.

Mr. CASTRO. Oh, Mr. Sherman is here, all right.

Chairman MCCAUL. What a surprise.

Mr. SHERMAN. I thank Mr. Castro for offering amendment and seek 5 minutes to speak——

Chairman MCCAUL. The gentleman is recognized for 5 minutes.

Mr. SHERMAN. As I have said before, I support the chairman's bill. When it comes to our closest allies, especially Israel, that face sustained efforts from a hostile, terrorist organization, Congress must have a say before weapons are paused, and hopefully those weapon deliveries will not be paused.

I especially want to thank Mr. Castro for introducing this amendment for me.

Last week, we voted on the floor on the Israel Security Assistance Support Act, which I voted against because I believe this legislation will be substantially better. However, I think it needs an amendment to put in context the recent controversy.

Yes, Biden has paused one type of weapon for what may be a short time. And there is discussion about how this is somehow an unprecedented rupture in the U.S.-Israel alliance. It is not unprecedented. It is not near as significant as some are making it out to be.

I am confident that all of the weapons systems Israel needs will be delivered long before Israel needs them. And in fact, the particular weapons not being delivered are weapons as to which Israel has an enormous, a large stockpile already.

But what my amendment does is identify that fact that in 1956, 1967, 1975, 1981, 1982, and 2014, under a host of different Presidents, we have also seen the interruption in aid or weapons used to drive home the U.S. position on this or that issue.

In 1991, President George H.W. Bush delayed \$10 million of critical loan guarantees in an effort to get Israel to free settlements. A decade prior, President Ronald Reagan withheld the deliveries of F-15s and F-16s and halted the shipment of artillery shells. In 1956, Dwight Eisenhower threatened sanctions not only against Israel, but also Britain and France in an effort to force a withdrawal from the Sinai Peninsula and the Suez Canal.

In 1967, President Lyndon Baines Johnson imposed an arms embargo on everyone involved in the Six-Day War, including Israel. And in 1975, President George—President Gerald Ford warned that he would reappraise ties with Israel in an effort to pressure the Israeli Government.

This is a complicated relationship. It is a close relationship. It is a longstanding alliance. But there are times when various Presidents have taken actions to temporarily withhold aid or weapons.

Some of those interruptions may have been merited, some, perhaps all, I did not agree with.

But in any case, decisions like this should reflect not just the executive branch of government. So for that reason, I support the bill. I think the bill, by adding this additional finding, will put in context and will undermine the efforts by enemies of Israel to say that there is some rupture of major and unprecedented significance between the Biden administration and the Government of Israel.

America stands strong behind Israel. It has stood strong behind Israel in prior decades. There have been these particular instances which should be referenced. And I yield back.

Chairman McCAUL. The gentleman yields. I want to thank the gentleman for his amendment, which I am pleased to accept. I also want to thank him for being a cosponsor of the Ironclad Act. The purpose of this bill is to facilitate congressional oversight of any executive branch policy changes regarding security assistance and arms sales to Israel.

This amendment makes the historical case for why this bill is necessary and why it is important, so therefore I am pleased to support it.

Any other members seek recognition? Mr. Schneider is recognized.

Mr. SCHNEIDER. Just a quick point of clarification. Mr. Sherman, you indicated 1956, 1967, 1975. I believe that should be 1973, 1981, 1982, and 2014.

Mr. SHERMAN. You believe instead of 1975 it should be 1973?

Mr. SCHNEIDER. I believe it was during the Yom Kippur War.

Mr. SHERMAN. I will have to check my research on that.

Mr. SCHNEIDER. You should check.

Okay, it is a technical change—

Mr. SHERMAN. OK, in March 1975, Kissinger said that the Ford Administration was reassessing U.S. Middle East policy, including assessments to Israel. So while something that I may not have referenced may or may not have occurred in 1973, I have referenced 1975 and this report on a statement by the Ford Administration, March 1975.

Chairman McCAUL. Does the gentleman yield? Any other member seek recognition? Mr. Self is recognized.

Mr. SELF. 1973, I am glad we brought that up, because that was a truly existential threat to Israel. And that is when America immediately shipped tens of tons into Israel immediately, much like we have today. That was Ironclad. I am not sure today is.

I yield back.

Chairman McCAUL. The gentleman yields. Any further discussion? There being no further discussion, the question now occurs on the amendment offered by Representative Sherman, 102. All those in favor, signify by saying aye.

(Chorus of ayes.)

Chairman McCAUL. All those opposed, signify by saying no.

(Chorus of noes.)

Chairman McCAUL. In the opinion of the chair, the ayes have it and the amendment is agreed to.

Are there any further amendments? There being no further amendments, further proceedings on this bill are postponed.

Pursuant to notice, I now call up H.R. 8315, the ENFORCE Act.
[The Bill H.R. 8315 follows:]

118TH CONGRESS
2D SESSION

H. R. 8315

To amend the Export Control Reform Act of 2018 to prevent foreign adversaries from exploiting United States artificial intelligence and other enabling technologies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2024

Mr. McCaul (for himself, Mr. Moolenaar, Mr. Krishnamoorthi, and Ms. Wild) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To amend the Export Control Reform Act of 2018 to prevent foreign adversaries from exploiting United States artificial intelligence and other enabling technologies, 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 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Enhancing National Frameworks for Overseas Restric-
6 tion of Critical Exports Act” or “ENFORCE Act”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
8 this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Definitions.
Sec. 3. Authority of the President.
Sec. 4. Additional authorities.
Sec. 5. Amendment to International Emergency Economic Powers Act.

1 **SEC. 2. DEFINITIONS.**

2 Section 1742 of the Export Control Reform Act of
3 2018 (50 U.S.C. 4801) is amended by adding at the end
4 the following:

5 “(15) ADDITIONAL DEFINITIONS.—

6 “(A) ARTIFICIAL INTELLIGENCE.—The
7 term ‘artificial intelligence’ has the meaning
8 given that term in section 5002(3) of the Na-
9 tional Artificial Intelligence Initiative Act of
10 2020 (15 U.S.C. 9401(3)).

11 “(B) ARTIFICIAL INTELLIGENCE SYS-
12 TEM.—The term ‘artificial intelligence system’
13 means any software or hardware implementa-
14 tion of artificial intelligence, including artificial
15 intelligence model weights and any numerical
16 parameters associated with the artificial intel-
17 ligence implementation.

18 “(C) COVERED ARTIFICIAL INTELLIGENCE
19 SYSTEM.—

20 “(i) INTERIM DEFINITION.—For the
21 period beginning on the date of the enact-
22 ment of this paragraph and ending on the
23 date on which the Secretary issues the reg-

1 ulations required by clause (ii), the term
2 ‘covered artificial intelligence system’
3 means an artificial intelligence system
4 that—

5 “(I) exhibits, or could foreseeably
6 be modified to exhibit, capabilities in
7 the form of high levels of performance
8 at tasks that pose a serious risk to
9 the national security and foreign pol-
10 icy of the United States or any com-
11 bination of those matters, even if it is
12 provided to end users with technical
13 safeguards that attempt to prevent
14 users from taking advantage of the
15 relevant capabilities, such as by—

16 “(aa) substantially lowering
17 the barrier of entry for experts or
18 non-experts to design, synthesize,
19 acquire, or use chemical, biologi-
20 cal, radiological, or nuclear
21 (CBRN) weapons or weapons of
22 mass destruction;

23 “(bb) enabling offensive
24 cyber operations through auto-
25 mated vulnerability discovery and

1 exploitation against a wide range
2 of potential targets of cyber at-
3 tacks; or

4 “(cc) permitting the evasion
5 of human control or oversight
6 through means of deception or
7 obfuscation; or

8 “(II) can reasonably be expected
9 to exhibit the capabilities described in
10 subclause (I), such as by dem-
11 onstrating technical similarity or
12 equivalent performance to models in
13 which relevant capabilities have
14 emerged unexpectedly.

15 “(ii) FINAL DEFINITION.—

16 “(I) IN GENERAL.—Not later
17 than 365 days after the date of the
18 enactment of this paragraph, the Sec-
19 retary, in consultation with the Sec-
20 retary of State, the Secretary of De-
21 fense, and the Secretary of Energy,
22 shall issue regulations defining the
23 term ‘covered artificial intelligence
24 system’ for purposes of this subtitle.
25 Thereafter, the Secretary, in consulta-

1 tion with the Secretary of State, the
2 Secretary of Defense, and the Sec-
3 retary of Energy, shall update the
4 definition of such term as necessary.

5 “(II) FACTORS.—In developing
6 the definition of the term ‘covered ar-
7 tificial intelligence system’ under this
8 clause, the Secretary, in consultation
9 with the Secretary of State, the Sec-
10 retary of Defense, and the Secretary
11 of Energy, shall consider technical
12 and non-technical factors, including
13 those factors that will most effectively
14 promote the national security of the
15 United States.

16 “(D) MODEL WEIGHT.—The term ‘model
17 weight’ means a numerical parameter within an
18 artificial intelligence model that helps determine
19 the model’s outputs in response to inputs.”.

20 **SEC. 3. AUTHORITY OF THE PRESIDENT.**

21 Section 1753(a) of the Export Control Reform Act
22 of 2018 (50 U.S.C. 4812(a)) is amended by adding at the
23 end the following:

24 “‘In addition, in order to carry out the policy set forth in
25 paragraphs (1) through (10) of section 1752, the Presi-

1 dent may control the activities of United States persons,
2 wherever located, relating to specific covered artificial in-
3 telligence systems and emerging and foundational tech-
4 nologies that are identified as essential to the national se-
5 curity of the United States pursuant to section 1758(a).”.

6 **SEC. 4. ADDITIONAL AUTHORITIES.**

7 Section 1754(d) of the Export Control Reform Act
8 of 2018 (50 U.S.C. 4813(d)) is amended by adding at the
9 end the following:

10 “(3) **ADDITIONAL AUTHORITIES.**—In further-
11 ance of section 1753(a), the President may require
12 a United States person, wherever located, to apply
13 for and receive a license from the Department of
14 Commerce for—

15 “(A) the export, reexport, or in-country
16 transfer of items described in paragraph (4), in-
17 cluding items that are not subject to control
18 under this subchapter; and

19 “(B) other activities that may support the
20 design, development, production, use, operation,
21 installation, maintenance, repair, overhaul, or
22 refurbishing of, or for the performance of serv-
23 ices relating to, any items described in para-
24 graph (4).

1 “(4) ITEMS DESCRIBED.—The items described
2 in this paragraph include—

3 “(A) covered artificial intelligence systems;
4 and

5 “(B) specific emerging and foundational
6 technologies that are identified as essential to
7 the national security of the United States pur-
8 suant to section 1758(a).”.

9 **SEC. 5. AMENDMENT TO INTERNATIONAL EMERGENCY**
10 **ECONOMIC POWERS ACT.**

11 Section 203(b)(3) of the International Emergency
12 Economic Powers Act (50 U.S.C. 1702(b)(3)) is amended
13 by striking “section 5 of the Export Administration Act
14 of 1979, or under section 6 of such Act to the extent that
15 such controls promote the nonproliferation or
16 antiterrorism policies of the United States” and inserting
17 “section 1754 of the Export Control Reform Act of 2018”.

Æ

Chairman MCCAUL. The bill was circulated in advance. The clerk shall designate the bill.

The CLERK. H.R. 8315 to amend the Export Control Reform Act of 2018 to prevent foreign adversaries from exploiting United States artificial intelligence and enabling technologies——

Chairman MCCAUL. Without objection, the first reading is dispensed with. The bill is considered read and open to amendment at any point.

I now recognize myself in support of the bill.

When we look at, or as we look at the potential for AI, I compare it to what we experienced with the Manhattan Project. This changed everything, and AI will have the same impact, including warfare.

AI will permeate every facet of our economy and military, serving as a bedrock upon which our prosperity and security rest. That is why safeguarding our most advanced AI systems and the technologies underpinning them is imperative to our national security interest.

AI has created a technology revolution that will determine whether America remains the world's leading superpower, or whether it gets eclipsed by China. These technologies can be used to safeguard democracy, or they could be used for surveillance and oppression.

The U.S.-China Economic and Security Review Commission reported last year that China is using commercial AI advancements to prepare its military for a way with Taiwan. We must understand that whoever sets the rules on its application will win this great power competition and determine the global balance of power.

Currently, the Bureau of Industry and Security stands as our first line of defense, tasked with approving or denying the export of dual use items, such as advanced semiconductors and the tools to build them. Recently, BIS revoked the export licenses from both Intel and Qualcomm, who were selling semiconductors to Huawei. I commend them for finally taking this long-overdue step.

And while BIS can stop the flow of advanced semiconductors to the CCP and other adversaries, it lacks the clear, legal authority to control the export of AI systems. That is why I introduced the ENFORCE Act.

This legislation amends the Export Control Reform Act of 2018. It empowers BIS to curb the transfer of military-grade AI systems that pose national security risks from being exported to adversaries like China. A recent industry poll found that 64 percent of respondents, both Democrat and Republican, support the key provisions of the ENFORCE Act.

This legislation provides BIS the flexibility to craft appropriate controls on closed AI systems without stifling U.S. innovation or affecting open source models. Additionally, it provides BIS the authority to restrict American AI labs or companies from working with the CCP, who would use this technology against America's national security interest.

Without the ENFORCE Act, we stand previously exposed to a host of threats. It is a loophole in our laws, and it is a dangerous one. Our top AI companies could inadvertently fuel China's tech-

nology—technological ascent, empowering their military and malign ambition.

As the CCP looks to expand their technology advancements to enhance their surveillance State and war machine, it is critical that we protect our sensitive technology from falling into their hands.

So with that, I urge my colleagues to support this measure, and I yield back the balance of my time.

Is there any further discussion on the bill? Ms. Dean is recognized.

Ms. DEAN. I thank the Chairman, and I represent both myself and Ranking Member Meeks in support of this measure by you, Chairman McCaul, and Representative Susan Wild.

There is no doubt that artificial intelligence, or AI, is a foundational technology with the power to transform the world. This technology, however, also raises risks for our national security.

There is concern that our rivals, like the PRC, will use AI in ways that will harm U.S. interests and U.S. national security. We know foreign actors have tried to manipulate our elections. And AI-based tools can make their task easier. AI systems can also be used to power autonomous weapons and strengthen offensive cyber and military capabilities.

We need to work with our allies and partners to ensure these power tools don't end up in the wrong hands. AI technologies made here in America should not be exported to the entities in the PRC that would use such technology in ways that undermine U.S. interests and national security.

To address this challenge, this bill would give the administration permissive authority to control the export of national security-related AI systems and technology. This would allow the administration to craft controls on AI technologies for potentially problematic end users or end uses.

My thanks to the chairman and to Representative Wild of Pennsylvania for working on a bipartisan way—working in a bipartisan way on this bill and incorporating feedback from the administration. We also made the definitions of AI and AI systems in the bill temporary so that the administration may undertake its usual regulatory process and solicit public comment so that the final definitions are appropriately scoped.

Finally, for BIS to tackle this challenge, we need to adequately resource BIS. BIS urgently needs more funding to effectively implement and enforce the growing list of controls and mandates it is given.

And with that, I support this bill, and I yield back.

Chairman McCAUL. I thank the gentlelady for her support. Is there any further discussion on the bill? Ms. Wagner is recognized.

Mrs. WAGNER. I thank the Chairman for his work on this measure, and I thank Ms. Wild also for her work. The bipartisan ENFORCE Act, H.R. 8315, I am very proud to cosponsor.

The United States has long been the unquestioned leader in developing cutting-edge technologies like artificial intelligence. The People's Republic of China, however, is bent on replacing the United States as the world's only true superpower, and it is using

every single tactic at its disposal, including outright intellectual property theft to erode our advantage.

We know that China relies on American hardware and AI to develop its military capabilities, a dangerous subversion of U.S. innovation and a contributor to global instability. And yet, while the United States has the ability to stop the export of the semiconductors and tools that can be used to create the most powerful AI systems, we can't prevent China from accessing the AI systems themselves.

A U.S. company could export AI technology to entities in adversarial nations without any ability for the U.S. to act if it puts our national security at a significant risk. The chairman's bill closes this gap in our export control regime to ensure that the United States can keep these sensitive systems out of the hands of our adversaries.

It will enable the U.S. to preserve our leadership while denying China the technology it needs to prepare for an invasion of Taiwan.

I urge my colleagues to support this measure, and I yield back, Mr. Chairman.

Chairman McCAUL. The gentlelady yields. Is there any further discussion on the bill? There being no further discussion, I have an amendment in the nature of a substitute at the desk, and I ask for its consideration at this time.

[The Amendment offered by Chairman McCaul follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8315
OFFERED BY MR. MCCAUL OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Enhancing National Frameworks for Overseas Restriction of Critical Exports Act” or the “ENFORCE Act”.

5 (b) TABLE OF CONTENTS.—The table of contents for
6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Authority of the President.
- Sec. 4. Additional authorities.
- Sec. 5. Requirements to identify and control the export of emerging and foundational technologies.
- Sec. 6. Conforming amendment to International Emergency Economic Powers Act.

7 SEC. 2. DEFINITIONS.

8 Section 1742 of the Export Control Reform Act of
9 2018 (50 U.S.C. 4801) is amended by adding at the end
10 the following:

11 “(15) ADDITIONAL DEFINITIONS.—

12 “(A) ARTIFICIAL INTELLIGENCE.—The
13 term ‘artificial intelligence’ has the meaning
14 given that term in section 5002(3) of the Na-

1 tional Artificial Intelligence Initiative Act of
2 2020 (15 U.S.C. 9401(3)).

3 “(B) ARTIFICIAL INTELLIGENCE SYS-
4 TEM.—The term ‘artificial intelligence system’
5 means any software or hardware implementa-
6 tion of artificial intelligence, including artificial
7 intelligence model weights and any numerical
8 parameters associated with the artificial intel-
9 ligence implementation.

10 “(C) COVERED ARTIFICIAL INTELLIGENCE
11 SYSTEM.—

12 “(i) INTERIM DEFINITION.—For the
13 period beginning on the date of the enact-
14 ment of this paragraph and ending on the
15 date on which the Secretary issues the reg-
16 ulations required by clause (ii), the term
17 ‘covered artificial intelligence system’
18 means an artificial intelligence system
19 that—

20 “(I) exhibits, or could foreseeably
21 be modified to exhibit, capabilities in
22 the form of high levels of performance
23 at tasks that pose a serious risk to
24 the national security and foreign pol-
25 icy of the United States or any com-

1 bination of those matters, even if it is
2 provided to end users with technical
3 safeguards that attempt to prevent
4 users from taking advantage of the
5 relevant capabilities, such as by—

6 “(aa) substantially lowering
7 the barrier of entry for experts or
8 non-experts to design, synthesize,
9 acquire, or use chemical, biological,
10 cal, radiological, or nuclear
11 (CBRN) weapons or weapons of
12 mass destruction;

13 “(bb) enabling offensive
14 cyber operations through automated
15 vulnerability discovery and
16 exploitation against a wide range
17 of potential targets of cyber attacks;
18 or

19 “(cc) permitting the evasion
20 of human control or oversight
21 through means of deception or
22 obfuscation; or

23 “(II) can reasonably be expected
24 to exhibit the capabilities described in
25 subclause (I), such as by dem-

G:\M\18\MCCAUL\MCCAUL_133.XML

4

1 onstrating technical similarity or
2 equivalent performance to models in
3 which relevant capabilities have
4 emerged unexpectedly.

5 “(ii) FINAL DEFINITION.—

6 “(I) IN GENERAL.—Not later
7 than 365 days after the date of the
8 enactment of this paragraph, the Sec-
9 retary, in consultation with the Sec-
10 retary of State, the Secretary of De-
11 fense, the Secretary of Energy, and
12 other parts of the United States gov-
13 ernment, industry, and academia, as
14 appropriate, shall issue regulations de-
15 fining the term ‘covered artificial in-
16 telligence system’ for purposes of this
17 subtitle. Thereafter, the Secretary, in
18 consultation with the Secretary of
19 State, the Secretary of Defense, and
20 the Secretary of Energy, shall update
21 the definition of such term as nec-
22 essary.

23 “(II) FACTORS.—In developing
24 the definition of the term ‘covered ar-
25 tificial intelligence system’ under this

G:\M\18\MCCAUL\MCCAUL_133.XML

5

1 clause, the Secretary, in consultation
2 with the Secretary of State, the Sec-
3 retary of Defense, and the Secretary
4 of Energy, shall consider technical
5 and non-technical factors, and only
6 identify technologies that pose a seri-
7 ous risk to the national security and
8 foreign policy of the United States.

9 “(III) CONGRESSIONAL CON-
10 SULTATION.—The Secretary may pro-
11 vide such regulations to the Com-
12 mittee on Foreign Affairs of the
13 House of Representatives and the
14 Committee on Banking, Housing, and
15 Urban Affairs of the Senate not fewer
16 than 15 days before the Secretary
17 publishes regulations described under
18 subclause (I).

19 “(D) MODEL WEIGHT.—The term ‘model
20 weight’ means a numerical parameter within an
21 artificial intelligence model that helps determine
22 the model’s outputs in response to inputs.”.

1 **SEC. 3. AUTHORITY OF THE PRESIDENT.**

2 Section 1753(a) of the Export Control Reform Act
3 of 2018 (50 U.S.C. 4812(a)) is amended by adding at the
4 end the following:

5 “(d) ADDITIONAL AUTHORITY.—

6 “(1) IN GENERAL.—In order to carry out the
7 policy set forth in paragraphs (1) through (10) of
8 section 1752, the President may control the activi-
9 ties of United States persons, wherever located, re-
10 lating to specific covered artificial intelligence sys-
11 tems and emerging and foundational technologies
12 that are identified as essential to the national secu-
13 rity of the United States pursuant to section
14 1758(a).

15 “(2) SUNSET.—The authority under paragraph
16 (1) shall terminate on the date that is 5 years after
17 the date of the enactment of such paragraph.”.

18 **SEC. 4. ADDITIONAL AUTHORITIES.**

19 Section 1754(d) of the Export Control Reform Act
20 of 2018 (50 U.S.C. 4813(d)) is amended by adding at the
21 end the following:

22 “(3) ADDITIONAL AUTHORITIES.—In further-
23 ance of section 1753(a), the President may require
24 a United States person, wherever located, to apply
25 for and receive a license from the Department of
26 Commerce for—

1 “(A) the export, reexport, or in-country
2 transfer of items described in paragraph (4), in-
3 cluding items that are not subject to control
4 under this subchapter; and

5 “(B) other activities that may support the
6 design, development, production, use, operation,
7 installation, maintenance, repair, overhaul, or
8 refurbishing of, or for the performance of serv-
9 ices relating to, any items described in para-
10 graph (4).

11 “(4) ITEMS DESCRIBED.—The items described
12 in this paragraph include—

13 “(A) covered artificial intelligence systems;
14 and

15 “(B) specific emerging and foundational
16 technologies that are identified as essential to
17 the national security of the United States pur-
18 suant to section 1758(a).

19 “(5) SUNSET.—The authority under paragraph
20 (3) shall terminate on the date that is 5 years after
21 the date of the enactment of such paragraph.”.

1 **SEC. 5. REQUIREMENTS TO IDENTIFY AND CONTROL THE**
2 **EXPORT OF EMERGING AND FOUNDATIONAL**
3 **TECHNOLOGIES.**

4 Section 1758(b)(4)(A) of the Export Control Reform
5 Act of 2018 (50 U.S.C. 4817(b)(4)(A)) is amended to
6 read as follows:

7 “(A) MANDATORY EXCEPTION.—The Sec-
8 retary may not control under this subsection
9 the export of any technology if the regulation of
10 the export of that technology is prohibited
11 under any other provision of law.”.

12 **SEC. 6. CONFORMING AMENDMENT TO INTERNATIONAL**
13 **EMERGENCY ECONOMIC POWERS ACT.**

14 Section 203(b)(3) of the International Emergency
15 Economic Powers Act (50 U.S.C. 1702(b)(3)) is amended
16 by striking “section 5 of the Export Administration Act
17 of 1979, or under section 6 of such Act to the extent that
18 such controls promote the nonproliferation or
19 antiterrorism policies of the United States” and inserting
20 “section 1753 of the Export Control Reform Act of 2018
21 and regulated or prohibited pursuant to section 1754 or
22 section 1758 of such Act”.



Chairman McCAUL. The clerk shall distribute my amendment in nature of a substitute, No. 133.

The clerk shall report the amendment.

The CLERK. Amendment in the nature of a substitute to H.R. 8315, offered by Mr. McCaul of Texas. Strike all after the enacting clause and insert the following: Section 1, short title——

Chairman McCAUL. Without objection, further reading of the amendment is dispensed with.

Is there any discussion on the amendment? There being no discussion on the amendment, the question now occurs on the amendment in the nature of a substitute, 133, offered by myself.

All those in favor, signify by saying aye.

(Chorus of ayes.)

Chairman McCAUL. All those opposed, signify by saying no.

(Chorus of noes.)

Chairman McCAUL. In the opinion of the chair, the ayes have it, the amendment is agreed to.

Are there any further amendments? There being no further amendments, I move that the committee report H.R. 8315, as amended, to the House with a favorable recommendation. All those in favor, signify by saying aye.

(Chorus of ayes.)

Chairman McCAUL. All those opposed, signify by saying no.

(Chorus of noes.)

Chairman McCAUL. In the opinion of the chair, the ayes have it and the motion is agreed to. Without objection——

OK, I request a recorded vote. A roll call vote has been requested. Pursuant to the chair's previous announcement, this vote will be postponed.

Pursuant to notice, I now call up H.Res. 616, expressing support for the people of Afghanistan and condemning the Taliban's assault on human rights and specific targeting of women, girls, and members of religious and ethnic minorities and expressing support for any Afghans who assisted in the United States' mission in Afghanistan.

[The Resolution offered by Chairman McCaul follows:]

118TH CONGRESS
1ST SESSION

H. RES. 616

Expressing support for the people of Afghanistan, condemning the Taliban's assault on human rights and the specific targeting of women, girls, and members of religious and ethnic minorities, and expressing support for any Afghans who assisted in the United States mission in Afghanistan.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2023

Mr. CROW (for himself, Mr. WILSON of South Carolina, Ms. WILD, and Mr. WALTZ) submitted the following resolution; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, 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

RESOLUTION

Expressing support for the people of Afghanistan, condemning the Taliban's assault on human rights and the specific targeting of women, girls, and members of religious and ethnic minorities, and expressing support for any Afghans who assisted in the United States mission in Afghanistan.

Whereas, upon returning to power in August 2021, the Taliban have become one of the world's most repressive organizations, depriving the Afghans of their enjoyment of human rights and fundamental freedoms and rolling

back the rights of women, girls, and members of vulnerable communities;

Whereas the Taliban have placed severe restrictions on women and girls, limiting their travel, access to education, and livelihoods;

Whereas, in March 2022, Emir Hibatullah Akhundzada canceled plans to reopen girls' secondary schools, and in December 2022, the Taliban-run Ministry of Higher Education suspended women from attending public and private universities, and in January 2023, barred them from private universities altogether;

Whereas the Taliban ordered all local and international non-governmental organizations to dismiss their female employees or risk revocation of their licenses, with some exceptions for women working in health and education;

Whereas the Taliban have used unjust force against Afghans participating in demonstrations in support of women and girls, including through the use of water cannons and beatings, and protesters have faced other serious physical abuses;

Whereas the Taliban continue to engage in gross human rights abuses including unjust detentions, disappearances and abductions, physical abuses, summary killings, collective punishment, and profiling and surveilling members of ethnic, tribal, and religious groups perceived as holding anti-Taliban views;

Whereas the Taliban have placed severe restrictions on freedoms of expression, including for members of the press, peaceful assembly, and association, and have targeted members of the media, human rights defenders, and civil

society activists through harassment, interference, surveillance, intimidation, detention, and violence;

Whereas many Hazaras, Sufis, Sikhs, Hindus, Christians, Ahmadiyya Muslims, and members of other religious minority groups face repeated harassment, detention, violence, and other egregious abuses of religious freedom due to their beliefs since the Taliban reimposed their strict interpretation of Sunni Islam on Afghanistan;

Whereas the Taliban and Islamic State in the Khorasan Province have forcibly displaced a large number of Hazara families from their homes and ancestral lands as a form of collective punishment and targeted this community in violent attacks;

Whereas summary killings and disappearances have taken place despite the Taliban's announced amnesty for former government and military officials;

Whereas terrorist groups, including the Islamic State in the Khorasan Province, continue to destabilize Afghanistan, use the country to launch external threats, and present an enduring threat to nations around the globe;

Whereas it is in the global interest to prevent the growth of terrorist organizations operating in Afghanistan by addressing the human rights degradation and internal oppression that have the potential to fuel external aggression;

Whereas the restrictive policies of the Taliban have undermined human rights and exacerbated the ongoing financial and humanitarian crisis, contributing to an unstable operating environment for humanitarian relief with continued interference and violence against aid workers;

Whereas the United Nations estimates that 28,000,000 people, or two-thirds of the Afghan population, need humanitarian assistance in 2023 and an estimated 19,900,000 Afghans are experiencing acute food insecurity;

Whereas the United States supported efforts to build democracy, promote rights for women and girls, and strengthen the rule of law in Afghanistan through diplomatic, military, and humanitarian efforts for over 20 years; and

Whereas the United States remains committed to supporting the Afghan people through their struggle for democracy and human rights: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) condemns the Taliban’s ongoing human
3 rights abuses against women and girls, members of
4 religious and ethnic minorities, civil society leaders
5 and activists, humanitarian workers, and journalists,
6 among members of other vulnerable groups in Af-
7 ghanistan, and calls for the group to halt any fur-
8 ther acts of violence and repression against the Af-
9 ghan people;

10 (2) encourages the Secretary of State, as appro-
11 pate, to consider determining whether the Taliban
12 have committed crimes against humanity in connec-
13 tion with their treatment of women and girls in Af-
14 ghanistan; and

15 (3) encourages the United States Government
16 to work with our allies and partners, including the

1 United Nations and multilateral partners, to develop
2 a comprehensive, long-term strategy to—

3 (A) counter a resurgence of increased vio-
4 lence against human rights defenders in Af-
5 ghanistan, especially against those who defend
6 the rights of women and girls, held political of-
7 fice in the Islamic Republic of Afghanistan,
8 were involved in the peace processes, or are oth-
9 erwise in the public eye;

10 (B) support human rights defenders, espe-
11 cially those who defend the rights of women and
12 girls and the aspirations of the Afghan people
13 for a democratic future based on the respect for
14 human rights, good governance, and the rule of
15 law;

16 (C) support the Afghan people in their
17 struggle for survival, human rights, and democ-
18 racy;

19 (D) support the comprehensive documenta-
20 tion of human rights abuses committed by the
21 Taliban since the group's takeover of the coun-
22 try in August 2021;

23 (E) hold the Taliban to account for its
24 human rights abuses;

1 (F) expedite processing and evacuation of
2 Afghan Priority 1 (P-1), Priority 2 (P-2), and
3 Special Immigrant Visa (SIV) applicants for
4 refugee resettlement; and

5 (G) counter terrorist organizations in Af-
6 ghanistan including through the use of over-the-
7 horizon capabilities.

Æ

Chairman MCCAUL. This resolution was circulated in advance. The clerk shall designate the resolution.

The CLERK. H.Res. 616, expressing support for the people of Afghanistan, condemning—

Chairman MCCAUL. Without objection, the first reading is dispensed with. The resolution is considered read and open to amendment at any point.

Without objection, the amendment in the nature of a substitute, circulated to members in advance, shall be considered as read and will be treated as original text for purposes of amendment.

Let me just recognize myself.

Afghanistan is facing a devastating humanitarian crisis under the tyrannical rule of the Taliban. Hard-fought-by gains to advance women's rights and promote democracy were wiped out by President Biden's decision to unilaterally withdraw.

Today, Afghanistan is the most oppressive country in the world for women and girls. Girls have been banned from attending school beyond sixth grade. Women are banned from working for NGO's. We know in fact that taxpayer funding aid is flowing to Taliban fighters and loyalists rather than suffering Afghan women and children.

We know the Taliban continues to hunt down those who worked with the United States and execute them. We know the Taliban is oppressing religious minorities and brutally suppressing free speech and freedom of the press. And we know that the Taliban has brought back public executions and continues to harbor terrorists.

The U.S. must adamantly oppose these human rights abuses, and we must work with our friends and allies to pressure the Taliban to lift these barbaric edicts. And it is time we do everything we can to expedite SIV applications, hold the Taliban to account for their crimes.

The people of Afghanistan must know that the United States stands behind them. We will do everything we can to help them, in conjunction with the international community. And that is exactly what this resolution does. I support this resolution.

And is there any further discussion on the resolution? The author, Mr. Crow, is recognized.

Mr. CROW. I want to thank Chairman McCaul and Ranking Member Meeks for holding this markup today and for considering H.Res. 616, a resolution expressing support for the people of Afghanistan; condemning the Taliban's assault on human rights and the specific targeting of women, girls, and members of the religious and ethnic minority groups; and expressing support for Afghans who assisted in the United States' mission in Afghanistan.

I want to thank my co-leads, Representative Wild, Representative Waltz. And thank you as well to the minority and majority staff for their work on this measure.

I served three tours in Iraq and Afghanistan, and I have often said that I may not be here today were it not for the brave Afghan partners who worked alongside the U.S. Government and in furtherance of our mission.

So this resolution is in part an acknowledgment of their service and their sacrifice, and a commitment that we will honor our prom-

ise and continue to improve the processing and evacuation of the Afghan special immigrant visa applicants and Priority-1 and Priority-2 applicants.

But this resolution is also a recognition of the dire human rights situation in Afghanistan and our commitment to continue to work with our allies and partners to address humanitarian concerns.

United Nations estimated in December 2023 that 69 percent of the Afghan population lacks access to basic items, utilities, and essential services. And an estimated 15.8 million Afghans were experiencing food insecurity.

These are startling and untenable figures. This ongoing humanitarian and financial crisis in Afghanistan has been further exacerbated by the Taliban's repressive policies. Many of the restrictive policies are laid out within this resolution, but the Taliban has expressly targeted women and girls, religious minority groups, human rights defenders, civil society activists, members of the media, and former government and military officials.

These restrictive policies have undermined respect for human rights and further imperiled Afghanistan's standing. I believe it remains in our global interest, both from a moral and national security perspective, to continue our commitment to supporting the Afghan people in their pursuit of democracy and human rights and to prevent the degradation of human rights and repressive policies from fueling external issues.

To that end, this resolution demonstrates a commitment to addressing these concerns, including through encouraging the U.S. Government to work with allies and partners to develop a long-term strategy to address humanitarian, counterterrorism, and other shared policy concerns.

So I strongly urge my colleagues to join us in supporting this bipartisan resolution to make sure that we do not forget our decades-long commitment to Afghanistan and our commitment that must continue in perpetuity to support the folks who are striving for freedom and democracy in this land in which many of us left pieces of our heart and our minds and our history.

So with that, I yield back.

Chairman McCAUL. The gentleman yields. And we thank the gentleman for bringing forward this resolution. Also for your service in the Afghanistan war.

Is there any further discussion of the resolution? Ms. Manning is recognized.

Ms. MANNING. Thank you, Chairman McCaul and Ranking Member Meeks.

I am proud to be a cosponsor of H.Res. 616, an important bipartisan resolution introduced by our colleagues, Representatives Crow, Wilson, Wild, and Waltz, which highlights and condemns the Taliban's brutal human rights abuses, particularly against women and girls and reaffirms our ongoing commitment to the basic human rights of the Afghan people.

Mr. Chairman, since 2021, after years of progress for women and girls in Afghanistan, we have witnessed the tragic consequences of the Taliban's takeover.

The Taliban have imposed more than 100 draconian decrees on Afghan women, forcibly treating them like property, limiting their

ability to work, to get an education, or move freely in public without their husbands or male relatives. Civil society and media organizations have crumbled, with anyone openly speaking in opposition to the Taliban's rules facing threats and violence.

Earlier this year, the MENA subcommittee held a hearing with officials at the State Department and USAID, who testified about the devastating reality for Afghan women, the Taliban's harsh restrictions, and the severe physical and mental health impacts these women are experiencing as a result.

We need to mobilize the international community to put pressure on the Taliban and to provide basic human rights and opportunities for half of its population.

But we must also do much, much more to support the Afghan people. That is because the Taliban continues to fail to meet the basic needs the Afghan people deserve. According to the World Food Programme, Afghanistan is on the brink of economic collapse, with the local currency at an all-time low and food prices on the rise.

Acute malnutrition is above emergency thresholds in 25 out of 35 provinces and is expected worsen, with almost half of children under five and a quarter of pregnant and breastfeeding women needing lifesaving nutritional support in the next 12 months.

Many Afghans, including those who fought alongside us, remain threatened by the Taliban, and we must not abandon them. That is why this bipartisan resolution focuses our attention on the Taliban's human rights abuses, expresses Congress's commitment to supporting the Afghan people, and outlines important steps for the State Department and the administration to take.

Mr. Chairman, I want to thank Representative Crow and all of my colleagues for their leadership and commitment to the people of Afghanistan. I am proud to cosponsor this bipartisan resolution, and I yield back the balance of my time.

Chairman MCCAUL. The gentlelady yields. Any further discussion? Mr. Phillips is recognized.

Mr. PHILLIPS. Thank you, Mr. Chairman.

I also support H.Res. 616, authored by my friend and colleague, Representative Crow.

Since the Taliban's forceful takeover of Afghanistan in August 2021, I have been horrified, disgusted by the ruthless repression. Under their rule, human rights have deteriorated significantly, particularly, as it has been said, for women and girls.

Afghan woman cannot access secondary education or higher education. They are banned from most employment with international NGO's and the United Nations, and are severely restricted in their ability to even leave their homes or travel outside without a male relative.

What is more, the Taliban have cracked down on local media and freedom of speech, arresting and detaining journalists, civil society activists, and human rights defenders who dare raise their voices to question the Taliban's extremism.

While I do believe it was time for the United States to leave Afghanistan, it does pain me deeply to see the Afghan people, especially women, girls, human rights activists, and those who assisted

the United States of America, to be forced to live under the Taliban's murderous rule.

The United States has not and should not recognize the Taliban's corrupt regime. Nevertheless, as this resolution lays out, we must continue to stand by the Afghan people and support them during these challenging times.

More than 28 million people, almost two-thirds of the Afghan population, needed humanitarian aid in 2023. And over half of the population, over 23 million, will continue to require such aid to survive in 2024.

The United States' humanitarian assistance contributions to Afghanistan are an integral component of our support for these struggling people. And while we must ensure that we have the proper oversight and accountability to ensure the aid does not fall into the hands of the Taliban, we must be sure not to turn our back on the population that is suffering one of the world's worst humanitarian crises.

I am heartened, though, by the bipartisan support this resolution has garnered, and I hope that it will yield more opportunities to work together to create a comprehensive policy toward Afghanistan that continues to prioritize the Afghan people, human rights, countering terrorism, and expediting processing and evacuation of Afghan civs, P1 and P2 applicants.

With that, I am proud to cosponsor this measure and urge its expeditious consideration on the floor. And with that, Mr. Chair, I yield back.

Chairman MCCAUL. The gentleman yields. Any further discussion on the resolution? Ms. Wild is recognized.

Ms. WILD. Thank you, Mr. Chairman.

I rise in support of my friend and colleague Representative Jason Crow's resolution, H.Res. 616. I am proud to be a co-lead of this bipartisan effort to stand with the people of Afghanistan in view of the Taliban's systemic attacks on the rights and dignity of women and girls, religious and ethnic minorities, journalists, and dissidents, among many others.

We cannot remain silent in the face of injustice. That is why this resolution condemns the Taliban's abuses, encourages the Secretary of State to determine whether the Taliban's actions against women and girls meets the standard for crimes against humanity, and encourages the administration in coordination with international organizations, allies, and partners to develop a long-term strategy to address our most vital priorities in Afghanistan, including countering the Taliban's actions and pressing for accountability; protecting women's rights and human rights defenders; supporting the efforts of the Afghan people to build a future of equal rights, rule of law and democracy; advancing counterterrorism efforts; expediting processing and evacuation of allies who worked alongside our service members, alongside Afghans at risk of persecution for their background or beliefs.

On behalf of our service members who risked, sacrificed, and lost so much in our Nation's longest war, let us come together to support a future that is worthy of the Afghan people.

Thank you, Mr. Chairman, I yield back.

Chairman McCAUL. The gentlelady yields back. Any further discussion? Mr. Stanton is recognized.

Mr. STANTON. Thank you very much, Mr. Chair.

I would like to speak in support of Congressman Crow's bill, H.Res. 616, which rightfully condemns the Taliban's assault on human rights and the specific targeting of minority groups.

Indeed, over the last 3 years, the Taliban has tightened its oppressive hold over the Afghan people. Entire families have been displaced. Girls are barred from schools. Terrorist organizations are emboldened. And the elderly are starved.

The Hazara, a long-persecuted ethnic minority that accounts for nearly 20 percent of Afghanistan's population, have historically been targeted by the Taliban. A small Hazara community resides in my district, and I have had the privilege of hearing their stories.

I would like to share the words of a Hazara human rights defender who is now pursuing his Ph.D. at Arizona State University. "We are being targeted at wedding halls, at mosques, at the athletic club, and on public transportation. All women and girls in Afghanistan are being blocked from schools. The Hazara girls are targeted even more because they are an ethnic and religious minority. We are tired of the disappearances, tired of the casualties, tired of the war."

H.Res. 616 also reminds us of that many Afghans who served the United States' mission in Afghanistan are targets of the Taliban. This includes the fearless members of the Female Tactical Platoon, many of whom identify as Hazara. The members of the Female Tactical Platoon who served alongside United States soldiers on elite missions are still awaiting permanent status in the United States.

I bring their stories before the committee again and again to underscore the importance of congressional action to support them. Our obligation to our allies is immediate. We must pass the Afghan Adjustment Act, and we must loudly denounce the abuses suffered by women, men, children, and brave service members that seek freedom from persecution in their home country.

I urge my colleagues to vote in favor of H.Res. 616, and I yield back.

Chairman McCAUL. The gentleman yields. Any further discussion on the resolution? Mr. Self is recognized.

Mr. SELF. First of all, I thank my colleague Mr. Crow for his service in Afghanistan. I am sure I was not there as long as you were, so thank you.

I will also point out, though, that I am going to support this, but we are in this position because we did not support our Afghan allies in July and August 2021. We are in this position because we badly underestimated the timeline that Taliban would take over Afghanistan.

We are in this position because overnight, without alerting our allies at all, any of our allies, we withdrew from Afghanistan in a disastrous withdrawal. So I will point out that our administration put us in this position to pass this resolution. I am going to support it, but I need to remember, we are in this position because of our actions in July and August 2021.

I yield back.

Chairman McCAUL. The gentleman yields. Any further discussion on the resolution? There being no further discussion on the resolution, the committee will move to consideration of amendments. Does any member wish to offer an amendment?

There being no amendments, I move that the committee report H.Res. 616, as amended, to the House with a favorable recommendation. All those in favor, signify by saying aye.

(Chorus of ayes.)

Chairman McCAUL. All those opposed, signify by saying no.

(Chorus of noes.)

Chairman McCAUL. In the opinion of the Chair, the ayes have it and the motion is agreed to. Without objection, the motion—

Mr. CROW. Mr. Chairman, I ask for a recorded vote.

Chairman McCAUL. Motion to reconsider is laid on the table and a roll call vote has been requested. Pursuant to the chair's previous announcement, this vote will be postponed.

With that, the committee will stand in recess. We will reconvene at 12:30 to vote.

[Whereupon, at 11:47 a.m., the Committee recessed to reconvene at 12:30 p.m., the same day]

Chairman McCAUL. Committee will come to order. The committee postponed proceedings on the roll call vote on the Meeks amendment to H.R. 8437, on which the noes have prevailed by voice vote. The question now occurs on agreeing to the amendment.

Members will vote using the electronic voting system. The clerk will open the vote.

Have all members voted? Does any member wish to record or change their vote?

The clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 22, the noes are 24.

Chairman McCAUL. The noes have it, and the amendment is not agreed to.

The committee postponed further proceedings on the roll call vote on amendment No. 110, offered by Representative Castro to H.R. 8437, on which the noes have prevailed by voice vote. The question now occurs on agreeing to the amendment.

Members will vote using the electronic voting system. The clerk will open the vote.

Have all members voted? Does any member wish to change their vote?

The clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 22, the noes are 24.

Chairman McCAUL. The noes have it, and the amendment is not agreed to.

There being no further amendments, I move that the committee report H.R. 8437, as amended, to the House with a favorable recommendation. All those in favor, signify by saying aye.

(Chorus of ayes.)

Chairman McCAUL. All those opposed, signify by saying no.

(Chorus of noes.)

Chairman McCAUL. In the opinion of the chair, the ayes have it and the motion is agreed to.

Mr. MEEKS. Roll call.

Chairman McCAUL. A roll call vote has been requested.

Members will vote using the electronic voting system. The clerk will open the vote.

Have all members voted? Does any member wish to change their vote?

The clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 33, the noes are 13.

Chairman McCAUL. The ayes have it, and the motion is agreed to.

Without objection, the motion will be considered as laid on the table. The measure is ordered favorably reported, as amended, as a single amendment in the nature of a substitute. Staff is authorized to make any technical and conforming changes.

The committee postponed further proceedings on reporting H.R. 8315, the ENFORCE Act, as amended favorably, to the House, on which the ayes prevailed by voice vote. The question now occurs on reporting the measure to the House with a favorable recommendation.

Members will vote using the electronic voting system. The clerk will open the vote.

Have all members voted? Does any member wish to change their vote?

The clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 43, the noes are 3.

Chairman McCAUL. The ayes have it, and the motion is agreed to. Without objection, the motion will be considered as laid on the table. The measure is ordered favorably reported, as amended, as a single amendment in the nature of a substitute. Staff is authorized to make any technical and conforming changes.

The committee postponed further proceedings on reporting H.Res. 616, Expressing support for the people of Afghanistan, condemning the Taliban's assault on the human rights and the specific targeting of women, girls, and members of religious and ethnic minorities and expressing support for any Afghans who assisted the United States in its mission in Afghanistan, as amended favorably, to the House, in which ayes prevailed by a voice vote.

The question now occurs on reporting the measure to the House with a favorable recommendation.

Members will vote using the electronic voting system. The clerk will open the vote.

Have all members voted? Does any member wish to change their vote?

The clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 46, the noes are 0.

Chairman McCAUL. The ayes have it, and the motion is agreed to. Without objection, the motion will be considered as laid on the table.

This concludes the consideration of measures noticed by the committee. We will begin the hearing with Secretary Blinken at 1:45.

There being no further business to transact, the committee stands adjourned.

[Whereupon, at 12:54 p.m., the committee adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD



**COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP NOTICE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128**

Michael T. McCaul (R-TX), Chairman

May 21, 2024

Revised

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN markup of the Committee on Foreign Affairs to be held at 10:00 a.m. in room 2172 of the Rayburn House Office Building. The markup is available by live webcast on the Committee website. <https://foreignaffairs.house.gov/>

DATE: Wednesday, May 22, 2024

TIME: ~~9:00 a.m.~~
10:00 a.m.

LOCATION: 2172 RHOB

MARKUP OF: H.R. 8437, To provide for congressional oversight of proposed changes to arms sales to Israel.

****** H.R. 8315, To amend the Export Control Reform Act of 2018 to prevent foreign adversaries from exploiting United States artificial intelligence and other enabling technologies, and for other purposes.

****** H.Res. 616, Expressing support for the people of Afghanistan, condemning the Taliban's assault on human rights and the specific targeting of women, girls, and members of religious and ethnic minorities, and expressing support for any Afghans who assisted in the United States mission in Afghanistan.

****NOTE:** Measures added/changed.

***NOTE:** Measures may be added.

By Direction of the Chair

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-226-8467 at least four business days in advance of the event, whenever practicable. Questions with

regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS
MINUTES OF FULL COMMITTEE MARKUP

Day Wednesday Date May 22, 2024 Room 2172 RHOB

Starting Time 10:13 Ending Time 12:54

Recesses 1 (11:47 to 12:30) (____ to ____) (____ to ____) (____ to ____) (____ to ____)

Presiding Member(s)

Chairman McCaul

Check all of the following that apply:

Open Session ☒

Executive (closed) Session ☐

Televised ☒

Electronically Recorded (taped) ☒

Stenographic Record ☒

BILLS FOR MARKUP: (Include bill number(s) and title(s) of legislation.)

Attached

COMMITTEE MEMBERS PRESENT:

Attached

NON-COMMITTEE MEMBERS PRESENT:

NA

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

Attached

ACTIONS TAKEN DURING THE MARKUP: (Attach copies of legislation and amendments.)

Attached

RECORDED VOTES TAKEN (FOR MARKUP): (Attach final vote tally sheet listing each member.)

Subject

Yeas

Nays

Present

Not Voting

Attached

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 12:54

Mag Wagner
Full Committee Hearing Coordinator

Committee on Foreign Affairs

118th Congress

ATTENDANCE

Date: MAY 22, 2024 Markup

Representative	Present	Absent	Representative	Present	Absent
Mr. McCaul	X		Mr. Meeks	X	
Mr. Smith	X		Mr. Sherman		X
Mr. Wilson	X		Mr. Connolly	X	
Mr. Perry	X		Mr. Keating	X	
Mr. Issa	X		Mr. Bera	X	
Mrs. Wagner	X		Mr. Castro	X	
Mr. Mast	X		Ms. Titus	X	
Mr. Buck	X		Mr. Lieu		X
Mr. Burchett	X		Ms. Wild	X	
Mr. Green	X		Mr. Phillips	X	
Mr. Barr	X		Mr. Allred	X	
Mr. Jackson	X		Mr. Kim	X	
Mrs. Kim	X		Ms. Jacobs	X	
Mrs. Salazar	X		Ms. Manning	X	
Mr. Huizenga	X		Mrs. Cherfilus-McCormick	X	
Mrs. Radewagen		X	Mr. Stanton	X	
Mr. Hill	X		Ms. Dean	X	
Mr. Davidson	X		Mr. Moskowitz	X	
Mr. Baird	X		Mr. Jackson	X	
Mr. Waltz	X		Mrs. Kamlager-Dove	X	
Mr. Kean	X		Mr. Costa	X	
Mr. Lawler	X		Mr. Crow	X	
Mr. Mills		X	Mr. Amo	X	
Mr. McCormick	X		Mr. Schneider	X	
Mr. Moran	X				
Mr. James	X				
Mr. Self	X				

05/22/2024 Foreign Affairs Markup Summary

The Chair called up the following measures separately:

1. [H.R. 8437](#), To provide for congressional oversight of proposed changes to arms sales to Israel. (McCaul) (ordered favorably reported to the House, as amended, 33Y-13N)
 - [McCaul Amendment in the Nature of a Substitute](#) (considered as base text by UC)
 - [Meeks Amendment](#) (not adopted, 22Y-24N)
 - [Self Amendment #128](#) (previously circulated as Davidson #128) (adopted, voice vote)
 - [Castro Amendment #110](#) (not adopted, 22Y-24N)
 - [Castro Amendment #102](#) (previously circulated as Sherman #102)(adopted, voice vote)
2. [H.R. 8315](#), To amend the Export Control Reform Act of 2018 to prevent foreign adversaries from exploiting United States artificial intelligence and other enabling technologies, and for other purposes. (McCaul) (ordered favorably reported to the House, as amended, 43Y-3N)
 - [McCaul Amendment in the Nature of Substitute](#) (adopted, voice vote)
3. [H.Res. 616](#), Expressing support for the people of Afghanistan, condemning the Taliban's assault on human rights and the specific targeting of women, girls, and members of religious and ethnic minorities, and expressing support for any Afghans who assisted in the United States mission in Afghanistan. (Crow) (ordered favorably reported to the House, as amended, 46Y-0N)
 - [Crow Amendment in the Nature of a Substitute](#) (considered as base text by UC)



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Vote: To Report H.R. 8315, as amended

Representative	Yea	Nay	Representative	Yea	Nay
Chairman McCaul	X		Ranking Member Meeks	X	
Representative Smith	X		Representative Sherman		
Representative Wilson	X		Representative Connolly	X	
Representative Perry	X		Representative Keating	X	
Representative Issa	X		Representative Bera	X	
Representative Wagner	X		Representative Castro		X
Representative Mast	X		Representative Titus	X	
Representative Burchett	X		Representative Lieu		
Representative Green	X		Representative Wild	X	
Representative Barr	X		Representative Phillips	X	
Representative Ronny Jackson	X		Representative Allred	X	
Representative Young Kim	X		Representative Andy Kim		X
Representative Salazar	X		Representative Jacobs		X
Representative Huizenga	X		Representative Manning	X	
Representative Radewagen			Representative Cherfilus-McCormick	X	
Representative Hill	X		Representative Stanton	X	
Representative Davidson	X		Representative Dean	X	
Representative Baird	X		Representative Moskowitz	X	
Representative Waltz	X		Representative Jonathan Jackson	X	
Representative Kean	X		Representative Kamlager-Dove	X	
Representative Lawler	X		Representative Costa	X	
Representative Mills			Representative Crow	X	
Representative McCormick	X		Representative Amo	X	
Representative Moran	X		Representative Schneider	X	
Representative James	X				
Representative Self	X				

Yeas [43] Nays [3]



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Vote: To Report H.R. 8437, as amended

Representative	Yea	Nay	Representative	Yea	Nay
Chairman McCaul	X		Ranking Member Meeks		X
Representative Smith	X		Representative Sherman		
Representative Wilson	X		Representative Connolly		X
Representative Perry	X		Representative Keating		X
Representative Issa	X		Representative Bera		X
Representative Wagner	X		Representative Castro		X
Representative Mast	X		Representative Titus	X	
Representative Burchett	X		Representative Lieu		
Representative Green	X		Representative Wild	X	
Representative Barr	X		Representative Phillips	X	
Representative Ronny Jackson	X		Representative Allred	X	
Representative Young Kim	X		Representative Andy Kim		X
Representative Salazar	X		Representative Jacobs		X
Representative Huizenga	X		Representative Manning	X	
Representative Radewagen			Representative Cherfilus-McCormick		X
Representative Hill	X		Representative Stanton	X	
Representative Davidson	X		Representative Dean		X
Representative Baird	X		Representative Moskowitz	X	
Representative Waltz	X		Representative Jonathan Jackson		X
Representative Kean	X		Representative Kamlager-Dove		X
Representative Lawler	X		Representative Costa	X	
Representative Mills			Representative Crow		X
Representative McCormick	X		Representative Amo		X
Representative Moran	X		Representative Schneider	X	
Representative James	X				
Representative Self	X				

Yeas [33] Nays [13]



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Vote: To Report H.Res. 616, as amended

Representative	Yea	Nay	Representative	Yea	Nay
Chairman McCaul	X		Ranking Member Meeks	X	
Representative Smith	X		Representative Sherman		
Representative Wilson	X		Representative Connolly	X	
Representative Perry	X		Representative Keating	X	
Representative Issa	X		Representative Bera	X	
Representative Wagner	X		Representative Castro	X	
Representative Mast	X		Representative Titus	X	
Representative Burchett	X		Representative Lieu		
Representative Green	X		Representative Wild	X	
Representative Barr	X		Representative Phillips	X	
Representative Ronny Jackson	X		Representative Allred	X	
Representative Young Kim	X		Representative Andy Kim	X	
Representative Salazar	X		Representative Jacobs	X	
Representative Huizenga	X		Representative Manning	X	
Representative Radewagen			Representative Cherfilus-McCormick	X	
Representative Hill	X		Representative Stanton	X	
Representative Davidson	X		Representative Dean	X	
Representative Baird	X		Representative Moskowitz	X	
Representative Waltz	X		Representative Jonathan Jackson	X	
Representative Kean	X		Representative Kamlager-Dove	X	
Representative Lawler	X		Representative Costa	X	
Representative Mills			Representative Crow	X	
Representative McCormick	X		Representative Amo	X	
Representative Moran	X		Representative Schneider	X	
Representative James	X				
Representative Self	X				

Yeas [46] Nays [0]



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Vote: Meeks Amendment to H.R. 8437

Representative	Yea	Nay	Representative	Yea	Nay
Chairman McCaul		X	Ranking Member Meeks	X	
Representative Smith		X	Representative Sherman		
Representative Wilson		X	Representative Connolly	X	
Representative Perry		X	Representative Keating	X	
Representative Issa		X	Representative Bera	X	
Representative Wagner		X	Representative Castro	X	
Representative Mast		X	Representative Titus	X	
Representative Burchett		X	Representative Lieu		
Representative Green		X	Representative Wild	X	
Representative Barr		X	Representative Phillips	X	
Representative Ronny Jackson		X	Representative Allred	X	
Representative Young Kim		X	Representative Andy Kim	X	
Representative Salazar		X	Representative Jacobs	X	
Representative Huizenga		X	Representative Manning	X	
Representative Radewagen			Representative Cherfilus-McCormick	X	
Representative Hill		X	Representative Stanton	X	
Representative Davidson		X	Representative Dean	X	
Representative Baird		X	Representative Moskowitz	X	
Representative Waltz		X	Representative Jonathan Jackson	X	
Representative Kean		X	Representative Kamlager-Dove	X	
Representative Lawler		X	Representative Costa	X	
Representative Mills			Representative Crow	X	
Representative McCormick		X	Representative Amo	X	
Representative Moran		X	Representative Schneider	X	
Representative James		X			
Representative Self		X			

Yeas [22] Nays [24]