

113TH CONGRESS
1ST SESSION

H. R. 2846

To transfer to Jerusalem the United States Embassy located in Tel Aviv.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2013

Mr. FRANKS of Arizona (for himself, Mr. SHERMAN, Mr. LAMBORN, Mr. VARGAS, and Mr. GENE GREEN of Texas) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To transfer to Jerusalem the United States Embassy located
in Tel Aviv.

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 “Recognition of Jeru-
5 salem as the Capital of the State of Israel Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Jerusalem has been the eternal and undi-
9 vided capital of the state of Israel for the past 3,000
10 years.

1 (2) The State of Israel was established on May
2 14, 1948, in the wake of World War II in order to
3 serve as a homeland and place of refuge for the Jew-
4 ish people.

5 (3) There has been an uninterrupted Jewish
6 presence in the city of Jerusalem for 3,000 years
7 and a Jewish majority since 1840. Since 1950, the
8 city of Jerusalem has been the capital of the State
9 of Israel.

10 (4) From 1948 to 1967, Jerusalem was a di-
11 vided city and Israeli citizens of all faiths were not
12 entitled to visit the holy sites, and Jews from other
13 countries were restricted in their access to holy sites
14 in the area controlled by Jordan. In 1967, the city
15 of Jerusalem was reunited during the conflict known
16 as the Six Day War, and since 1967, Jerusalem has
17 been a unified city administered by Israel, and per-
18 sons of all faiths have been guaranteed full access to
19 the holy sites within the city.

20 (5) In 1990, Congress unanimously adopted
21 Senate Concurrent Resolution 106, which declares
22 that Congress “strongly believes that Jerusalem
23 must remain an undivided city in which the rights
24 of every ethnic religious group are protected”.

1 (6) In 1995, Congress overwhelmingly approved
2 the Jerusalem Embassy Relocation Act (Public Law
3 104–45), requiring the establishment of the United
4 States Embassy in Jerusalem not later than May
5 31, 1999.

6 (7) The United States maintains its embassy in
7 the functioning capital in every country except in the
8 State of Israel.

9 (8) Establishing sovereign claims according to
10 the 1907 Hague Regulations under article 43, re-
11 quires that “[t]he authority of the legitimate power
12 having in fact passed into the hands of the occupant,
13 the latter shall take all the measures in his power
14 to restore and ensure, as far as possible, public
15 order and safety, while respecting, unless absolutely
16 prevented, the laws in force in the country.”.

17 (9) Israel has far exceeded the 1907 Hague
18 Regulation as directed by international law. Israel
19 has taken all measures to restore and ensure public
20 order and safety in Jerusalem.

21 (10) Jerusalem has been far safer and more
22 protected under Israel’s administration than under
23 any previous authorities.

24 (11) Civil life is entirely present in Jerusalem,
25 and all government institutions and related frame-

1 works are also present, including the Knesset, the
2 Bank of Israel, the Ministry of Foreign Affairs, the
3 Prime Minister's and President's offices, and the
4 Supreme Court.

5 (12) The United States Government owns prop-
6 erty in Tel Aviv that was acquired for the cost of
7 \$1.00 in 1957.

8 (13) The United States Government has allo-
9 cated five properties in Jerusalem, totaling over of
10 40,000 square feet and 14 acres of land.

11 (14) The United States Government's property
12 located at 14 David Flusser Street in Jerusalem pre-
13 sents an ideal location for the United States Em-
14 bassy to Israel. The Department of State completed
15 construction of the property in 2010, and the six
16 acre site is leased for 75 years.

17 **SEC. 3. SENSE OF CONGRESS.**

18 It is the sense of Congress that—

19 (1) the United States should recognize the sov-
20 ereign status of an undivided Jerusalem as the cap-
21 ital of the State of Israel;

22 (2) recognizing Jerusalem as the capital of
23 Israel and transferring the United States Embassy
24 to Jerusalem from Tel Aviv will send a signal of
25 United States commitment and resolve to Israel; and

1 (3) the Secretary of State should—

2 (A) transfer the United States Embassy in
3 Tel Aviv, Israel, to 14 David Flusser Street, Je-
4 rusalem, Israel; and

5 (B) take such actions as are necessary to
6 either repurpose or sell at an appropriate mar-
7 ket rate the United States Embassy in Tel
8 Aviv, Israel, and, if the Embassy is sold, de-
9 posit in the Asset Management Account of the
10 Department of State the proceeds from such
11 sale.

12 **SEC. 4. AMENDMENT TO THE JERUSALEM EMBASSY ACT OF**
13 **1995.**

14 (a) REPEAL.—Subject to subsection (b) of this sec-
15 tion, section 7 of the Jerusalem Embassy Act of 1995 is
16 repealed.

17 (b) EFFECTIVE DATE.—The repeal specified in sub-
18 section (a) shall take effect on January 1, 2014.

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