

117TH CONGRESS  
1ST SESSION

# H. R. 6004

To prohibit the use of funds for a United States Embassy, Consulate General, Legation, Consular Office, or any other diplomatic facility in Jerusalem other than the United States Embassy to the State of Israel, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2021

Mr. KUSTOFF (for himself, Mr. SCALISE, Ms. STEFANIK, Mr. ZELDIN, Mr. ADERHOLT, Mr. ALLEN, Mr. ARRINGTON, Mr. BABIN, Mr. BACON, Mr. BALDERSON, Mr. BANKS, Mr. BARR, Mr. BERGMAN, Mr. BILIRAKIS, Mr. BOST, Mr. BROOKS, Mr. BUCHANAN, Mr. BUCK, Mr. BUDD, Mr. CALVERT, Mrs. CAMMACK, Mr. CARTER of Georgia, Mr. CAWTHORN, Mr. CLOUD, Mr. CRAWFORD, Mr. CRENSHAW, Mr. DESJARLAIS, Mr. DIAZ-BALART, Mr. DONALDS, Mr. DUNCAN, Mr. ELLZEY, Mr. EMMER, Mr. FITZPATRICK, Mr. FLEISCHMANN, Mr. GALLAGHER, Mr. GARBARINO, Mr. GARCIA of California, Mr. GIBBS, Mr. GIMENEZ, Mr. GOHMERT, Mr. GOOD of Virginia, Mr. GOODEN of Texas, Mr. GROTHMAN, Mr. GUEST, Mr. HARRIS, Mrs. HARTZLER, Mr. HILL, Mr. HUDSON, Mr. JACKSON, Mr. JOHNSON of Ohio, Mr. JOHNSON of South Dakota, Mr. JOHNSON of Louisiana, Mr. JORDAN, Mr. KELLER, Mr. LAMBORN, Mr. LATTA, Ms. LETLOW, Mr. LONG, Mr. LOUDERMILK, Ms. MACE, Mr. MAST, Mr. McCAUL, Mr. McCLINTOCK, Mr. MCKINLEY, Mrs. MILLER-MEEKS, Mrs. MILLER of West Virginia, Mrs. MILLER of Illinois, Mr. MOORE of Utah, Mr. MURPHY of North Carolina, Mr. NEWHOUSE, Mr. OWENS, Mr. PALMER, Mr. PENCE, Mr. PERRY, Mr. PFLUGER, Mr. RESCIENTHALER, Mr. ROY, Mr. RUTHERFORD, Ms. SALAZAR, Mr. SESSIONS, Mr. SMITH of Nebraska, Mr. SMITH of New Jersey, Mr. SMUCKER, Mrs. STEEL, Mr. STEUBE, Mr. STEWART, Ms. TENNEY, Mr. TIFFANY, Mr. TURNER, Mr. VAN DREW, Mrs. WAGNER, Mr. WALBERG, Mrs. WALORSKI, Mr. WALTZ, Mr. WEBER of Texas, Mr. WEBSTER of Florida, Mr. WENSTRUP, Mr. WILSON of South Carolina, Mr. WOMACK, Mr. MULLIN, Mr. JOYCE of Pennsylvania, Mr. ROGERS of Alabama, Mr. GRAVES of Louisiana, Mr. CHABOT, Mr. FEENSTRA, Mr. FULCHER, Mrs. RODGERS of Washington, Mr. POSEY, Mr. VALADAO, Mr. DAVIDSON, Mr. ROSE, Ms. CHENEY, and Mrs. BOEBERT) introduced the following bill; which was referred to the Committee on Foreign Affairs

# A BILL

To prohibit the use of funds for a United States Embassy, Consulate General, Legation, Consular Office, or any other diplomatic facility in Jerusalem other than the United States Embassy to the State of Israel, 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.**

4       This Act may be cited as the “Upholding the 1995  
5 Jerusalem Embassy Law Act of 2021”.

6 **SEC. 2. FINDINGS.**

7       Congress finds the following:

8           (1) There has been overwhelming bipartisan  
9       support in Congress for recognizing Jerusalem as  
10       the eternal and undivided capital of the State of  
11       Israel and moving the United States Embassy from  
12       Tel Aviv to Jerusalem.

13           (2) On May 22, 1990, Congress unanimously  
14       adopted Senate Concurrent Resolution 106 (101st  
15       Congress), which declares that Congress “strongly  
16       believes that Jerusalem must remain an undivided  
17       city in which the rights of every ethnic religious  
18       group are protected”.

19           (3) In June 1992, Congress unanimously adopt-  
20       ed Senate Concurrent Resolution 113 (102nd Con-

1       gress) to commemorate the 25th anniversary of the  
2       reunification of Jerusalem, and reaffirming congress-  
3       sional sentiment that Jerusalem must remain an un-  
4       divided city.

5           (4) In June 1993, 257 members of the House  
6       of Representatives signed a letter to the Secretary of  
7       State Warren Christopher stating that the relocation  
8       of the United States Embassy to Jerusalem “should  
9       take place no later than . . . 1999”.

10          (5) In March 1995, 93 United States Senators  
11       signed a letter to Secretary of State Warren Chris-  
12       topher encouraging “planning to begin now” for re-  
13       location of the United States Embassy to the city of  
14       Jerusalem.

15          (6) In November 1995, the Jerusalem Embassy  
16       Act of 1995 (Public Law 104–45) became law after  
17       receiving a 93–5 vote in the Senate and a 374–37  
18       vote in the House of Representatives. The law ex-  
19       presses support for recognizing Jerusalem as the  
20       capital of Israel and facilitating the relocation of the  
21       United States Embassy to Jerusalem.

22          (7) The Jerusalem Embassy Act of 1995 states,  
23       as the policy of the United States—

1 (A) “Jerusalem should remain an undi-  
2 vided city in which the rights of every ethnic  
3 and religious group are protected”;

4 (B) “Jerusalem should be recognized as  
5 the capital of the State of Israel”; and

6 (C) “the United States Embassy in Israel  
7 should be established in Jerusalem no later  
8 than May 31, 1999”.

9 (8) On May 20, 1997, the Senate unanimously  
10 passed Senate Concurrent Resolution 21 (105th  
11 Congress) to commemorate the 30th anniversary of  
12 the reunification of Jerusalem during the Six Day  
13 War, which—

14 (A) “congratulates the residents of Jeru-  
15 salem and the people of Israel on the thirtieth  
16 anniversary of the reunification of that historic  
17 city”;

18 (B) “strongly believes that Jerusalem must  
19 remain an undivided city in which the rights of  
20 every ethnic and religious group are protected  
21 as they have been by Israel during the past 30  
22 years”;

23 (C) “calls upon the President and Sec-  
24 retary of State to publicly affirm as a matter  
25 of United States policy that Jerusalem must re-

1 main the undivided capital of the state of  
2 Israel”; and

3 (D) “urges United States officials to re-  
4 frain from any actions that contradict United  
5 States law on this subject”.

6 (9) On June 10, 1997, the House of Represent-  
7 atives adopted House Concurrent Resolution 60  
8 (105th Congress) by a vote of 406–17 to commemo-  
9 rate the 30th anniversary of the reunification of Je-  
10 rusalem during the Six Day War, which—

11 (A) “congratulates the residents of Jeru-  
12 salem and the people of Israel on the 30th an-  
13 niversary of the reunification of that historic  
14 city”;

15 (B) “strongly believes that Jerusalem must  
16 remain an undivided city in which the rights of  
17 every ethnic and religious group are protected  
18 as they have been by Israel during the past 30  
19 years”;

20 (C) “calls upon the President and the Sec-  
21 retary of State to affirm publicly as a matter  
22 of United States policy that Jerusalem must re-  
23 main the undivided capital of the State of  
24 Israel”; and

1 (D) “urges United States officials to re-  
2 frain from any actions that contradict this pol-  
3 icy”.

4 (10) In September 2002, Congress passed the  
5 Foreign Relations Authorization Act, Fiscal Year  
6 2003 (Public Law 107–228), which states, in section  
7 214, the following:

8 (A) “The Congress maintains its commit-  
9 ment to relocating the United States Embassy  
10 in Israel to Jerusalem and urges the President,  
11 pursuant to the Jerusalem Embassy Act of  
12 1995 (Public Law 104–45; 109 Stat. 398), to  
13 immediately begin the process of relocating the  
14 United States Embassy in Israel to Jerusalem.”

15 (B) “None of the funds authorized to be  
16 appropriated by this Act may be expended for  
17 the operation of a United States consulate or  
18 diplomatic facility in Jerusalem unless such  
19 consulate or diplomatic facility is under the su-  
20 pervision of the United States Ambassador to  
21 Israel.”

22 (C) “None of the funds authorized to be  
23 appropriated by this Act may be available for  
24 the publication of any official government docu-  
25 ment which lists countries and their capital cit-

1           ies unless the publication identifies Jerusalem  
2           as the capital of Israel.”

3           (D) “For purposes of the registration of  
4           birth, certification of nationality, or issuance of  
5           a passport of a United States citizen born in  
6           the city of Jerusalem, the Secretary shall, upon  
7           the request of the citizen or the citizen’s legal  
8           guardian, record the place of birth as Israel.”

9           (11) On June 5, 2007, the House of Represent-  
10          atives passed, by voice vote, House Concurrent Reso-  
11          lution 152 (110th Congress), to commemorate the  
12          40th anniversary of the reunification of Jerusalem  
13          during the Six Day War. The resolution “reiterates  
14          [Congress’] commitment to the provisions of the Je-  
15          rusalem Embassy Act of 1995 and calls upon the  
16          President and all United States officials to abide by  
17          its provisions”.

18          (12) On June 5, 2017, the Senate unanimously  
19          passed Senate Resolution 176 (115th Congress) to  
20          commemorate the 50th anniversary of the reunifica-  
21          tion of Jerusalem during the Six Day War. The res-  
22          olution “reaffirms the Jerusalem Embassy Act of  
23          1995 (Public Law 104–45) as United States law,  
24          and calls upon the President and all United States  
25          officials to abide by its provisions.”

1           (13) On December 7, 2017, the United States  
2 took the first step to implement the Jerusalem Em-  
3 bassy Act of 1995 by formally recognizing Jerusalem  
4 as the “eternal capital of Israel”.

5           (14) On May 14, 2018, the United States fur-  
6 ther implemented the Jerusalem Embassy Act of  
7 1995 by officially opening the United States Em-  
8 bassy in Israel’s capital of Jerusalem.

9           (15) On March 4, 2019, the United States took  
10 the final step to implement and become fully compli-  
11 ant with the Jerusalem Embassy Act of 1995 by—

12                   (A) moving the official United States Am-  
13 bassador’s residence to Jerusalem; and

14                   (B) merging the Consulate General of the  
15 United States in Jerusalem with the United  
16 States Embassy in Jerusalem.

17           (16) On February 2, 2021, the Senate adopted  
18 Senate Amendment 786 to the budget resolution  
19 (section 3012 of Senate Concurrent Resolution 5),  
20 by a vote of 97–3, to maintain the United States  
21 Embassy in Jerusalem permanently, and effectively  
22 preventing it from being downgraded or moved out  
23 of Israel’s capital of Jerusalem.

24 **SEC. 3. STATEMENT OF POLICY.**

25 It is the policy of the United States—



1           (1) to uphold, preserve, and reaffirm the clear  
2           purpose and intent of the Statement of the Policy of  
3           the United States in section 3(a) of the Jerusalem  
4           Embassy Act of 1995 (Public Law 104–45; 109  
5           Stat. 399);

6           (2) to uphold, preserve, and reaffirm United  
7           States recognition of Jerusalem as the eternal cap-  
8           ital of the State of Israel and an undivided city in  
9           which the rights of every ethnic and religious group  
10          are protected;

11          (3) to maintain the United States Embassy to  
12          the State of Israel in Jerusalem, the capital of the  
13          State of Israel; and

14          (4) not to reopen, open, or otherwise maintain  
15          a United States Embassy, Consulate General, Lega-  
16          tion, Consular Office, or any other diplomatic facility  
17          in Jerusalem other than the United States Embassy  
18          to the State of Israel.

19 **SEC. 4. PROHIBITION ON USE OF FUNDS FOR CERTAIN DIP-**  
20 **LOMATIC FACILITIES.**

21          Section 1 of the Foreign Service Buildings Act, 1926  
22          (22 U.S.C. 292) is amended by adding at the end the fol-  
23          lowing:

24          “(d) PROHIBITION ON USE OF FUNDS.—Notwith-  
25          standing any other provision of law, none of the funds au-

1 thORIZED to be appropriated on or after the date of the  
2 enactment of this subsection may be used for a United  
3 States Embassy, Consulate General, Legation, Consular  
4 Office, or any other diplomatic facility in Jerusalem other  
5 than the United States Embassy to the State of Israel.”.

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