

Calendar No. 398

118TH CONGRESS
2D SESSION

H. R. 8369

IN THE SENATE OF THE UNITED STATES

MAY 20, 2024

Received; read the first time

MAY 21, 2024

Read the second time and placed on the calendar

AN ACT

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

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

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) On October 7, 2023, Hamas terrorists
9 launched a massive, unprovoked war on Israel, kill-

1 ing over 1,200 innocent people and taking over 240
2 hostages, including American citizens.

3 (2) Since October 7, Israel has faced attacks by
4 Iran and its proxies including Hezbollah, Hamas,
5 and the Houthis, which have required significant
6 military responses.

7 (3) Under the terms of a 2016 Memorandum of
8 Understanding, the United States provides Israel
9 with \$3.8 billion per year in security assistance and
10 missile defense funding from fiscal years 2019
11 through 2028, which is subject to the approval of
12 Congress.

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

18 (5) Congress plays a vital role in oversight and
19 approval of direct commercial sales and foreign mili-
20 tary sales to security partners around the world, in-
21 cluding Israel.

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

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

4 **SEC. 3. SENSE OF CONGRESS.**

5 Congress—

6 (1) condemns the Biden Administration’s deci-
7 sion to pause certain arms transfers to Israel as
8 Israel faces unprecedented threats from Iran and its
9 proxies, including Hezbollah, Hamas, and the
10 Houthis;

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

16 (3) calls on the Biden Administration to utilize
17 all congressionally appropriated funds for security
18 assistance for Israel as Congress intended;

19 (4) stands with Israel as it defends itself
20 against the barbaric war launched by Hamas and
21 other terrorists; and

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

23 **SEC. 4. PROHIBITION.**

24 None of the funds appropriated or otherwise made
25 available under any Act appropriating funds for the De-

1 partment of Defense or the Department of State for fiscal
2 year 2024 or any prior years may be made available—

3 (1) to withhold, halt, reverse, or cancel the de-
4 livery of defense articles or defense services from the
5 United States to Israel; or

6 (2) to pay the salary or expenses of any officer
7 or employee of the Department of Defense or the
8 Department of State who takes any action to sup-
9 port or further the withholding, halting, reversal, or
10 cancellation of the delivery of such defense articles
11 or services.

12 **SEC. 5. PROMPT DELIVERY.**

13 (a) PROMPT DELIVERY OF DEFENSE ARTICLES AND
14 SERVICES.—The Secretary of Defense, in coordination
15 with the Secretary of State, shall ensure prompt delivery
16 of all defense articles and services for Israel which are ex-
17 pected to be delivered in fiscal years 2024 and 2025, in-
18 cluding—

19 (1) those contracted through the Foreign Mili-
20 tary Sales system;

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

23 (3) those provided pursuant to a declaration in
24 section 506(a) of the Foreign Assistance Act of
25 1961.

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

7 (c) PROMPT DELIVERY OF WITHHELD ITEMS.—Any
8 defense article and defense service described in subsection
9 (a) or (b) of this section that were withheld from delivery
10 as of the date of the enactment of this Act shall be deliv-
11 ered to Israel not later than 15 days after the date of
12 the enactment of this Act.

13 **SEC. 6. WITHHOLDING OF FUNDS.**

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

1 (b) WITHHOLDING OF DEPARTMENT OF STATE
2 FUNDS.—None of the unobligated balances of funds made
3 available by prior Acts making appropriations for the De-
4 partment of State, Foreign Operations, and Related Pro-
5 grams under the heading “Diplomatic Programs” for the
6 Office of the Secretary that are available as of the date
7 of the enactment of this Act may be obligated or expended
8 until the Secretary of State certifies and reports to the
9 Committee on Appropriations of the House of Representa-
10 tives and the Senate that the requirements of section 5(c)
11 have been met.

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

1 **SEC. 7. OBLIGATION REQUIREMENT.**

2 Notwithstanding any other provision of law, the Sec-
3 retary of Defense and the Secretary of State shall obligate
4 any remaining unobligated balances of funds appropriated
5 or otherwise made available for assistance for Israel not
6 later than 30 days after the date of the enactment of this
7 Act.

8 **SEC. 8. REPORTS.**

9 (a) **INSPECTOR GENERAL REPORT.**—Not later than
10 90 days after the date of the enactment of this Act, the
11 Inspectors General of the Department of Defense and the
12 Department of State shall jointly submit to Congress a
13 report on any actions taken by executive branch officials
14 before the date of the enactment of this Act to withhold,
15 halt, reverse, or cancel the delivery of defense articles and
16 defense services to Israel.

17 (b) **MONTHLY SECURITY ASSISTANCE REPORT.**—Not
18 later than 30 days after the date of enactment of this Act,
19 and every 30 days thereafter through fiscal year 2025, the
20 Secretary of Defense, in coordination with the Secretary
21 of State, shall provide a written report to the Committees
22 on Appropriations, Armed Services, and Foreign Affairs
23 of the House of Representatives and the Committees on
24 Appropriations, Armed Services, and Foreign Relations of
25 the Senate describing United States security assistance
26 provided to Israel since October 7, 2023, including a com-

1 prehensive list of the defense articles and services provided
2 to Israel and the associated authority and funding used
3 to provide such articles and services: *Provided*, That such
4 report shall be submitted in unclassified form, but may
5 be accompanied by a classified annex.

6 (c) REPORT ON PRIORITY DEFENSE ARTICLES AND
7 SERVICES.—Not later than 30 days after the date of en-
8 actment of this Act, the Secretary of Defense, in coordina-
9 tion with the Secretary of State, shall provide a written
10 report to the Committees on Appropriations, Armed Serv-
11 ices, and Foreign Affairs of the House of Representatives
12 and the Committees on Appropriations, Armed Services,
13 and Foreign Relations of the Senate describing urgent and
14 high priority defense articles and defense services for
15 Israel and steps taken or planned to expedite the delivery
16 of such articles and services.

Passed the House of Representatives May 16, 2024.

Attest: KEVIN F. MCCUMBER,
Clerk.

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