

118TH CONGRESS  
1ST SESSION

# H. R. 5932

To authorize additional assistance to Israel using assets confiscated from the Iran, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 11, 2023

Mr. SCHWEIKERT (for himself, Mr. CRENSHAW, Mr. NUNN of Iowa, Mr. HIGGINS of Louisiana, Mr. SELF, Mr. DONALDS, Mr. EDWARDS, Mr. FEENSTRA, Mr. FITZPATRICK, Mr. CAREY, Mr. MCCORMICK, and Mr. ROSENDALE) introduced the following bill

OCTOBER 25, 2023

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

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## A BILL

To authorize additional assistance to Israel using assets confiscated from the Iran, 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 “Fortify Israel Act”.

1 **SEC. 2. PROHIBITION ON RELEASE OF BLOCKED IRANIAN**  
2 **ASSETS.**

3 (a) IN GENERAL.—No Iranian asset that is blocked  
4 or immobilized by the Department of the Treasury before  
5 the date of the enactment of this Act may be released or  
6 mobilized until the President certifies to the appropriate  
7 congressional committees that—

8 (1) hostilities between Hamas and other Ira-  
9 nian-backed groups and Israel have ceased; and

10 (2)(A) full compensation has been made to  
11 Israel for harms resulting from the invasion of Israel  
12 by Hamas and other Iranian-backed groups; or

13 (B) Iran is participating in a bona fide inter-  
14 national mechanism that, by agreement, will dis-  
15 charge the obligations of Iran to compensate Israel  
16 for all amounts determined to be owed to Israel.

17 (b) NOTIFICATION.—Not later than 30 days before  
18 the release or mobilization of an Iranian asset that pre-  
19 viously had been blocked or immobilized by the Depart-  
20 ment of the Treasury, the President shall submit to the  
21 appropriate congressional committees—

22 (1) a notification of the decision to release or  
23 mobilize the asset; and

24 (2) a justification in writing for such release or  
25 mobilization.

26 (c) JOINT RESOLUTION OF DISAPPROVAL.—

1           (1) IN GENERAL.—No Iranian asset that pre-  
2           viously had been blocked or immobilized by the De-  
3           partment of the Treasury may be released or mobi-  
4           lized if, within 30 days of receipt of the notification  
5           and justification required under subsection (b), a  
6           joint resolution is enacted prohibiting the proposed  
7           release or mobilization.

8           (2) EXPEDITED PROCEDURES.—Any joint reso-  
9           lution described in paragraph (1) introduced in ei-  
10          ther House of Congress shall be considered in ac-  
11          cordance with the provisions of section 601(b) of the  
12          International Security Assistance and Arms Export  
13          Control Act of 1976 (Public Law 94–329; 90 Stat.  
14          765), except that any such resolution shall be  
15          amendable. If such a joint resolution should be ve-  
16          toed by the President, the time for debate in consid-  
17          eration of the veto message on such measure shall  
18          be limited to 20 hours in the Senate and in the  
19          House of Representatives shall be determined in ac-  
20          cordance with the Rules of the House.

21          (d) COOPERATION ON PROHIBITION OF RELEASE OF  
22          CERTAIN IRANIAN ASSETS.—The President may take  
23          such action as may be necessary to seek to obtain an  
24          agreement or arrangement between the United States,  
25          Israel, and other countries that have blocked or immo-

1 bilized Iranian assets to prohibit such assets from being  
2 released or mobilized until an agreement has been reached  
3 that discharges Iran from further obligations to com-  
4 pensate Israel.

5 **SEC. 3. AUTHORITY TO ENSURE COMPENSATION TO ISRAEL**  
6 **USING CONFISCATED IRANIAN ASSETS.**

7 (a) CONFISCATION.—

8 (1) IN GENERAL.—The President may con-  
9 fiscate any Iranian assets subject to the jurisdiction  
10 of the United States, including assets that are with-  
11 in the scope of the Iranian assets authorized to be  
12 transferred from South Korea to the oversight of  
13 Qatar on September 11, 2023.

14 (2) LIQUIDATION AND DEPOSIT.—The Presi-  
15 dent shall—

16 (A) deposit any funds confiscated under  
17 paragraph (1) into the Fund established under  
18 subsection (b);

19 (B) liquidate or sell any other property  
20 confiscated under paragraph (1) and deposit  
21 the funds resulting from such liquidation or  
22 sale into the Fund established under subsection  
23 (b); and

24 (C) make all such funds available for the  
25 purposes described in subsection (b)(2).

1           (3) VESTING.—All right, title, and interest in  
2           Iranian assets confiscated under paragraph (1) shall  
3           vest, if necessary, in the Government of the United  
4           States while being held in the Fund established  
5           under subsection (b).

6           (b) ESTABLISHMENT OF A FUND TO PROVIDE AS-  
7           SISTANCE TO ISRAEL.—

8           (1) IN GENERAL.—The President shall establish  
9           a non-interest-bearing account to consist of the  
10          funds deposited into the account under subsection  
11          (a).

12          (2) USE OF FUNDS.—Amounts in the account  
13          established under paragraph (1) are authorized to be  
14          made available for the procurement of defense arti-  
15          cles and services for Israel.

16          (c) JUDICIAL REVIEW.—

17          (1) IN GENERAL.—The confiscation of Iranian  
18          assets under subsection (a)(1) shall not be subject to  
19          judicial review.

20          (2) RULE OF CONSTRUCTION.—Nothing in this  
21          subsection shall be construed to limit any private in-  
22          dividual or entity from asserting due process claims  
23          in United States courts.

24          (d) EXCEPTION FOR UNITED STATES OBLIGATIONS  
25          UNDER VIENNA CONVENTIONS.—The authorities pro-

1 vided by this section may not be exercised in a manner  
2 inconsistent with the obligations of the United States  
3 under—

4           (1) the Convention on Diplomatic Relations,  
5           done at Vienna April 18, 1961, and entered into  
6           force April 24, 1964 (23 UST 3227);

7           (2) the Convention on Consular Relations, done  
8           at Vienna April 24, 1963, and entered into force on  
9           March 19, 1967 (21 UST 77);

10           (3) the Agreement Regarding the Headquarters  
11           of the United Nations, signed at Lake Success June  
12           26, 1947, and entered into force November 21, 1947  
13           (TIAS 1676); or

14           (4) any other international agreement governing  
15           the use of force and establishing rights under inter-  
16           national humanitarian law.

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