

# Israel and Hamas Conflict In Brief: Overview, U.S. Policy, and Options for Congress

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## Israel and Hamas Conflict In Brief: Overview, U.S. Policy, and Options for Congress

Since October 7, 2023, Israel has been at war with the Palestinian Sunni Islamist group Hamas (a U.S.-designated foreign terrorist organization, or FTO), which led an attack that day from the Gaza Strip into Israel. More than 1,200 Israelis and foreign nationals (including at least 35 U.S. citizens in Israel) were killed on October 7, and Hamas and other groups also seized 253 hostages. Iran provides regular material support to Hamas, but the Office of the Director of National Intelligence assessed in February 2024 that “Iranian leaders did not orchestrate nor had foreknowledge of” the attack. The conflict that has ensued over eight months has posed increasing challenges for U.S. policymakers. This report focuses on selected aspects of the war and issues for Congress, with other aspects and regional issues addressed in other CRS products.

**Conflict, humanitarian situation, and international action.** In the conflict to date, more than 36,000 Palestinians in Gaza have been killed, according to the Hamas-controlled health ministry there. Additionally, about 1.7 million of Gaza’s some 2.1 million residents have been displaced, with most facing unsanitary, overcrowded conditions alongside acute shortages of food, water, medical care, and other essential supplies and services. Obstacles to transporting aid through crossings and Israeli checkpoints and then safely delivering it have contributed to high levels of food insecurity. The Integrated Food Security Phase Classification warned in March that “famine is imminent,” amid greater casualty counts (including among aid workers) and reports of increasingly dire humanitarian conditions. In this context, U.S. demands on Israel to boost assistance deliveries and improve deconfliction have increased.

In late May, the International Court of Justice (ICJ) ordered Israel to immediately “halt its military offensive, and any other action in the Rafah Governorate [at the southern tip of Gaza], which may inflict on the Palestinian group in Gaza conditions of life that could bring about its physical destruction in whole or in part.” The ICJ does not have an enforcement mechanism, and Israel has said its operations do not “risk the destruction of the Palestinian civilian population.” Also in May, the International Criminal Court (ICC) Prosecutor applied for arrest warrants for alleged war crimes against Israeli and Hamas leaders, including Prime Minister Benjamin Netanyahu, triggering denunciations from Biden Administration and Israeli leaders who insist that the ICC has no jurisdiction in the matter, and efforts by some Members of Congress to advance sanctions against ICC officials.

**U.S.-Israel cooperation and tensions (including supplemental appropriations and oversight).** The Biden Administration has provided political and material support for Israeli efforts to end Hamas rule in Gaza and secure the return of hostages. In Israel, debate is ongoing about whether and how these objectives complement or conflict with one another and can be achieved separately or together, if at all.

The Biden Administration has increased criticism of Israel in apparent connection with Israel’s prosecution of the war, questions regarding the achievability of the Israeli government’s stated objectives, and the conflict’s impact on Palestinian civilians. The Administration has pushed for a multi-phase cease-fire and hostage-prisoner exchange (working with Qatari and Egyptian mediators)—with the President backing a new proposal on May 31. The Administration has also pressed for more humanitarian aid and civilian protection. A February presidential memorandum (an executive document, not standing law) set forth oversight mechanisms for Israel’s compliance with international law as a U.S. arms recipient, and the Administration provided an initial report on Israeli compliance to Congress in May. In April, Congress appropriated the President’s requested supplemental funding for Israel (\$8.7 billion in Foreign Military Financing and missile defense) and global humanitarian assistance (over \$9 billion) in P.L. 118-50. The legislation also includes provisions aimed at preventing the \$1 billion of humanitarian aid intended for Gaza from diversion, misuse, or destruction. In May, as Israeli forces approached Rafah and hundreds of thousands of Palestinians began evacuating, President Biden said that Israel would not get U.S. arms to support military action “into these population centers,” and the Administration paused some weapons shipments. Later in the month, the Administration said that Israeli actions to date had “not involved major military operations into the heart of dense urban areas.” On May 31, Israel acknowledged that some of its forces had advanced into central Rafah.

**Post-conflict positioning.** Officials from the United States, Israel, and the West Bank-based Palestinian Authority (PA) have differed publicly on questions regarding post-conflict security and governance for Gaza. U.S. officials have expressed support for a resumption of PA rule in Gaza after the PA undertakes certain reforms, as part of efforts to move toward a two-state solution; PA and other Arab leaders insist on progress toward a Palestinian state at some point during such a transition. Israeli Prime Minister Benjamin Netanyahu has insisted that Israel have full security control of “all territory west of the Jordan River.” His stated unwillingness to embrace a PA role in Gaza or a two-state pathway may stem in part from demands by the ultra-nationalist figures from his pre-war coalition who could trigger new Israeli elections.

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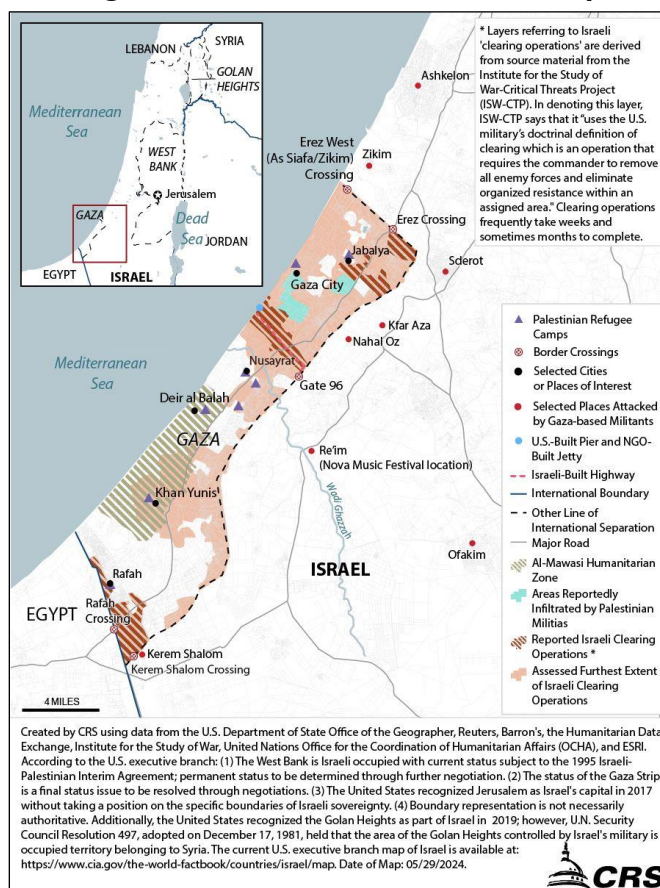
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## Overview

Since October 7, 2023, Israel has been at war with the Palestinian Sunni Islamist group Hamas (a U.S.-designated foreign terrorist organization, or FTO), which led attacks on that day from the Gaza Strip into Israel (see **Figure 1**). The nature and extent of the October 7 assault stunned Israelis and many others, and includes allegations of sexual violence.<sup>1</sup> Iran provides regular material support to Hamas, but the Office of the Director of National Intelligence assessed in February 2024 that “Iranian leaders did not orchestrate nor had foreknowledge of” the attack.<sup>2</sup> Israeli officials may have missed signals, over-relied on technological solutions, overestimated their own defense capabilities, and/or misread Hamas’s intentions and capabilities.<sup>3</sup>

**Figure 1. Israel and Gaza: Conflict Map**



The ongoing conflict has presented several challenges for U.S. policy in the Middle East. These include how to bolster Israel’s security from threats posed by Iran-supported actors near its

<sup>1</sup> UN News, “‘Clear and convincing information’ that hostages held in Gaza subjected to sexual violence, says UN Special Representative,” March 4, 2024.

<sup>2</sup> Office of the Director of National Intelligence, *Annual Threat Assessment of the U.S. Intelligence Community*, February 5, 2024. For more information on Hamas, its possible reasons for the attacks, and Iranian material support for Hamas, see CRS In Focus IF12549, *Hamas: Background, Current Status, and U.S. Policy*, by Jim Zanotti.

<sup>3</sup> Yaniv Kubovich, “Disdain, Denial, Neglect: The Deep Roots of Israel’s Devastating Intelligence Failure on Hamas and October 7,” *Haaretz*, May 9, 2024; Ronen Bergman and Adam Goldman, “Israel Knew Hamas’s Attack Plan More Than a Year Ago,” *New York Times*, November 30, 2023.

borders, how to prevent the spread of conflict in the region and manage relationships among Israel and its neighbors, how to provide security assistance for Israel without endangering civilians, how to provide humanitarian aid for civilians displaced or otherwise affected by the fighting, and how to reconcile Palestinian desires for statehood and post-conflict recovery with Israeli interests.

This report focuses on selected major aspects of the war and issues for Congress. Other CRS products address some other aspects of the war,<sup>4</sup> the larger historical context of Israeli-Palestinian conflict,<sup>5</sup> and elements of broader regional struggle involving Israel (with help from the United States and some Arab states) against Iran and its various allies.<sup>6</sup>

## Conflict and Humanitarian Situation: Key Points and International Action

**Israel's effort to defeat Hamas.** For much of the conflict's duration, Israeli Prime Minister Benjamin Netanyahu has stated that Israel sought "total victory" over Hamas,<sup>7</sup> including by destroying Hamas's military and governing capabilities in Gaza and recovering all hostages. Debate has ensued among Israeli officials and citizens about whether and how these Israeli war aims complement or conflict with one another and can be achieved separately or together, if at all.

**Impact on Gaza and international responses.** Casualties, widespread damage and destruction, and a precarious humanitarian situation in Gaza during Israeli military operations (see text box below) have fueled charged international debates and regional reactions that often sharply criticize Israel, seek punitive measures, and/or call for an end to conflict.

- In January, the **International Court of Justice (ICJ)** found that it had jurisdiction over allegations by South Africa that Israel may have committed acts of genocide. On May 24, during continuing deliberations on the case, the ICJ ordered Israel to immediately "halt its military offensive, and any other action in the Rafah Governorate [at the southern tip of Gaza], which may inflict on the Palestinian group in Gaza conditions of life that could bring about its physical destruction in whole or in part"; "maintain open" the crossing between Egypt and Rafah for "unhindered provision at scale of urgently needed basic services and humanitarian assistance" to Palestinians in Gaza; and ensure unimpeded access for U.N.-related inquiries regarding genocide allegations.<sup>8</sup> The ICJ does not have an enforcement mechanism, and Israel has insisted that its operations do not "risk the destruction of the Palestinian civilian population."<sup>9</sup>

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<sup>4</sup> CRS Insight IN12299, *Foreign Country Actions to Place the Israel-Hamas Conflict Before International Courts*, by Matthew C. Weed; CRS In Focus IF12537, *Terrorist Financing: Hamas and Cryptocurrency Fundraising*, by Liana W. Rosen, Paul Tierno, and Rena S. Miller.

<sup>5</sup> CRS Report RL34074, *The Palestinians: Background and U.S. Relations*, by Jim Zanotti; and CRS Report R44245, *Israel: Major Issues and U.S. Relations*, by Jim Zanotti.

<sup>6</sup> CRS Insight IN12347, *Escalation of the Israel-Iran Conflict*, coordinated by Jeremy M. Sharp; CRS In Focus IF12587, *Iran-Supported Groups in the Middle East and U.S. Policy*, by Clayton Thomas; CRS Insight IN12301, *Houthi Attacks in the Red Sea: Issues for Congress*, by Christopher M. Blanchard; CRS Insight IN12309, *Iraq: Attacks and U.S. Strikes Reopen Discussion of U.S. Military Presence*, by Christopher M. Blanchard.

<sup>7</sup> Ben Caspit, "Netanyahu buys time in Rafah, balances Israel's far right and Biden's 'red lines,'" *Al-Monitor*, May 14, 2024.

<sup>8</sup> ICJ Order, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*, May 24, 2024.

<sup>9</sup> "Israel Insists Rafah Operation Does Not Risk 'Destruction of Palestinians,'" *Agence France Presse*, May 24, 2024.

- On May 20, **International Criminal Court (ICC)** Prosecutor Karim Khan applied for arrest warrants for alleged war crimes against top Israeli and Hamas leaders, including Prime Minister Netanyahu, triggering strong denunciations from Biden Administration and Israeli leaders who insist that the ICC has no jurisdiction in the matter, and efforts by some Members of Congress to advance sanctions legislation against ICC officials.<sup>10</sup>
- The **U.N. Security Council** has adopted three resolutions since October 7 that have called for pauses to the conflict, the release of all hostages, and urgent efforts to expand the flow of humanitarian aid and reinforce the protection of civilians in Gaza.<sup>11</sup>

### Humanitarian Assistance: Delivery Challenges and U.S. Steps

**General background.** The humanitarian impact of conflict in Gaza on Palestinian civilians has been dire, with about 1.7 million of Gaza's some 2.1 million residents displaced and most facing unsanitary, overcrowded conditions alongside acute shortages of food, water, medical care, and other essential supplies and services.<sup>12</sup> Obstacles to transporting aid through crossings and Israeli checkpoints and then safely delivering it have contributed to high levels of food insecurity. In a May 10, 2024 report to Congress, the Department of State said that there have been numerous instances of "Israeli actions that delayed or had a negative effect on the delivery of aid to Gaza," particularly in the initial months of conflict, with the report citing lack of clarity or standardization in the Israeli inspection process, military strikes in areas of humanitarian movement or deconfliction, and some officials' encouragement of Israeli civilian protestors blocking or attacking convoys.<sup>13</sup> Israeli officials have stated that they are not limiting aid, instead placing responsibility for delays on security-related issues (such as looting) and U.N. distribution problems.<sup>14</sup>

A March report from the Integrated Food Security Phase Classification (IPC) warning that "famine is imminent,"<sup>15</sup> and Israeli strikes that caused fatalities among aid workers and other civilians, appeared to influence U.S. demands on Israel to boost assistance deliveries and improve deconfliction. The United States and other countries also began taking steps to augment humanitarian aid to Gaza via airdrops and a planned maritime corridor.<sup>16</sup> U.N. officials have said that to deliver large volumes of assistance, "there is no meaningful substitute to the many land routes and entry points from Israel into Gaza."<sup>17</sup> According to the May 10 Department of State report, Israel had "substantially increased humanitarian access and aid flow into Gaza, reaching significantly higher levels that require continued upward trajectory to meet immense needs."<sup>18</sup>

**Aid delivery and disruption.** In May, hostilities significantly disrupted activity at crossings into southern Gaza. Egypt has been unwilling to allow aid shipped through its territory to go through the Rafah crossing while Israeli forces remain on the Gaza side of the border,<sup>19</sup> later agreeing to route aid coming through Egypt into Gaza via

<sup>10</sup> CRS Insight IN12366, *Israel and Hamas: Possible International Criminal Court (ICC) Arrest Warrants*, by Matthew C. Weed and Jim Zanotti. See H.R. 8282 and S. 224.

<sup>11</sup> Resolution 2712 (November 15, 2023), Resolution 2720 (December 22, 2023), and Resolution 2728 (March 25, 2023). The United States abstained from all three resolutions.

<sup>12</sup> United Nations Office for the Coordination of Humanitarian Affairs (UN-OCHA), "Humanitarian Situation Update #173," May 31, 2024; "Reported impact snapshot | Gaza Strip," May 31, 2024.

<sup>13</sup> Just Security, "State Department Submits Key Report to Congress on Israel's Use of US Weapons," May 10, 2024.

<sup>14</sup> Israeli Coordination of Government Activities in the Territories "Food and food security in the Gaza Strip - response to IPC report," at <https://govextra.gov.il/media/ns2jsy0f/cogat-assessment-food-and-food-security-in-the-gaza-strip-response-to-ipc-report-1.pdf>.

<sup>15</sup> IPC - Special Brief, *The Gaza Strip*, March 18, 2024 (based on data as of March 10, 2024); See also, IPC, "Fact Sheet – The IPC Famine," March 2024.

<sup>16</sup> Department of Defense, "Pentagon Press Secretary Air Force Maj. Gen. Pat Ryder Holds a Press Briefing," March 8, 2024; "UN uses new land route from Israel to reach northern Gaza," Reuters, March 12, 2024.

<sup>17</sup> UN News, "For the first time in weeks, UN aid teams reach Gaza City," March 12, 2024.

<sup>18</sup> Just Security, "State Department Submits Key Report to Congress on Israel's Use of US Weapons."

<sup>19</sup> Hamza Hendawi, "Egypt refuses to reopen Rafah crossing while Israel controls its Gaza side," *The National* (UAE), May 16, 2024; Lazar Berman, "Despite threats, Egypt is not about to tear up peace treaty with Israel," *Times of Israel*, May 23, 2024.



Israel's Kerem Shalom crossing.<sup>20</sup> According to U.N. officials as of May 29, "The flow of humanitarian aid supplies into Gaza, already insufficient to meet the soaring needs, has dropped by 67 per cent since 7 May."<sup>21</sup> Evaluating the humanitarian situation in this context, a spokesperson for the U.N. World Food Program (WFP) warned that "humanitarian operations in Gaza are near collapse," and if food and other supplies do not arrive "in massive quantities, famine-like conditions will spread."<sup>22</sup>

**U.S. dock and pier.** The U.S. military has built a temporary dock and pier at the Gaza coast that started receiving international aid shipments from Cyprus in May. President Biden announced the project in his March 7 State of the Union address, and stated that no U.S. troops would go onshore in Gaza.<sup>23</sup> Some aid has reached warehouses of the WFP (the lead coordinator for aid delivery from the pier), but at a level well short of the 90-150 daily truckloads U.S. officials had projected.<sup>24</sup> The military suspended aid deliveries in late May due to the need to repair damage to the pier and accompanying vessels caused by rough seas and weather.<sup>25</sup> In April 30 testimony before the House Armed Services Committee, Secretary of Defense Lloyd Austin expressed confidence in the force protection plan, which involves U.S. naval vessels at sea and Israeli forces based in Gaza.<sup>26</sup> Some Members of Congress have expressed support for the U.S. maritime corridor effort, while others have voiced concern about cost estimates and potential risks to U.S. personnel.<sup>27</sup>

**Casualties and hostages.** Reportedly, as of May 27, 2024, more than 1,200 Israelis and foreign nationals (including at least 35 U.S. citizens in Israel) had been killed as a result of the October 7 attacks, more than 36,000 Palestinians in Gaza have been killed, and at least 287 Israeli soldiers have died in battle since Israel's military began ground operations in Gaza.<sup>28</sup> Israel claims it has killed around half of some 30,000 Hamas fighters, though U.S. intelligence reportedly indicates that this number may be less and that about 65% of Hamas's tunnel network in Gaza remains intact.<sup>29</sup> Hamas and other groups reportedly seized 252 Israeli and foreign national hostages on October 7, including some Americans.<sup>30</sup> To date, around 112 hostages have been released, most in exchange for 250 Palestinian prisoners during a November 2023 multi-day pause in fighting.<sup>31</sup>

<sup>20</sup> Officials from Israel, Egypt, and the United States are reportedly discussing options for reopening the Rafah crossing by potentially having one or more third parties acceptable to all three countries operate the Gaza side of the crossing. Barak Ravid, "U.S., Egypt and Israel to meet to discuss Gaza border security," *Axios*, May 30, 2024; Rina Bassist, "Israel looks to revive cease-fire talks even as its tanks enter central Rafah," *Al-Monitor*, May 28, 2024.

<sup>21</sup> UN-OCHA, "Hostilities in the Gaza Strip and Israel | Flash Update #172," May 29, 2024.

<sup>22</sup> "UN suspends Rafah aid distribution and warns US pier may fail," *Associated Press*, May 21, 2024.

<sup>23</sup> White House, "Remarks by President Biden in State of the Union Address," March 7, 2024.

<sup>24</sup> "UN resumes transporting aid via US-built pier after Gazans intercepted trucks," *Times of Israel*, May 24, 2024.

<sup>25</sup> Matthew Olay, "Defense Department Conducts Recover, Repair Mission for Temporary Pier After Heavy Sea States," *DOD News*, May 28, 2024.

<sup>26</sup> See <https://armedservices.house.gov/hearings/full-committee-hearing-department-defense-fiscal-year-2025-budget-request>.

<sup>27</sup> Joe Gould and Lara Seligman, "Democrats join Republicans in wanting more answers on Biden's Gaza pier," *Politico*, March 15, 2024; Letter to President Biden dated March 21, 2024 from 12 Senators, at <https://www.wicker.senate.gov/services/files/77E022FA-0DC8-4AF4-9072-C04BD8C43A01>; "Exclusive: US military's pier in Gaza to cost \$320 million," *Reuters*, April 29, 2024.

<sup>28</sup> UN-OCHA, "Reported impact snapshot | Gaza Strip," May 31, 2024; Department of State, "Secretary Antony J. Blinken at a Press Availability," Tel Aviv, Israel, November 3, 2023. Palestinian casualty figures, which presumably include combatants and civilians, come from the Hamas-controlled health ministry in Gaza.

<sup>29</sup> "Israel's Netanyahu says militants make up about half of Gaza deaths," *CBS News*, May 13, 2024; Alexander Ward et al., "Biden admin openly hammering Israel's military strategy in Gaza," *Politico*, May 21, 2024.

<sup>30</sup> "Israel says it seizes key Gaza-Egypt corridor," *Agence France Presse*, May 29, 2024.

<sup>31</sup> "Who are the released hostages?" *BBC*, February 12, 2024; Erin Banco, "Gaza hostage talks hit roadblock, raising fears of prolonged captivity" *Politico*, December 7, 2023.

Some 121 hostages reportedly remain in Gaza (including five Americans), though at least 37 are presumed dead.<sup>32</sup>

## U.S.-Israel Cooperation and Tensions

The United States has provided political and material support for Israeli efforts to end Hamas rule in Gaza and secure the return of hostages. However, the Biden Administration has increased criticism of Israel in apparent connection with Israel's prosecution of the war, questions regarding the achievability of the Israeli government's stated objectives, and greater casualty counts and reported humanitarian challenges among Palestinian civilians. The Administration also has pushed for a multi-week cease-fire, more humanitarian aid, and civilian protection.

### U.S. Measures Regarding the West Bank

While Gaza has been the primary focus of the conflict, smaller-scale violence has continued in the West Bank involving Palestinian militants, Israeli forces, and Israeli settlers. U.S. officials and lawmakers have signaled concerns related to Israeli actions in the West Bank that may endanger Palestinians' lives or property.<sup>33</sup> On February 1, President Biden issued Executive Order 14115, authorizing "sanctions against those directing or participating in certain actions, including acts or threats of violence against civilians, intimidating civilians to cause them to leave their homes, destroying or seizing property, or engaging in terrorist activity in the West Bank."<sup>34</sup> Pursuant to this executive order, the Administration has imposed sanctions (including visa bans) on eight Israeli settlers, two fundraising entities, and two outposts (which are illegal under Israeli law) allegedly used as bases to "perpetrate violence against Palestinians."<sup>35</sup> The United Kingdom and European Union also have imposed sanctions on some Israeli settlers or related organizations.<sup>36</sup>

In April, according to a White House readout of a call with Prime Minister Netanyahu, President Biden "made clear the need for Israel to announce and implement a series of specific, concrete, and measurable steps to address civilian harm, humanitarian suffering, and the safety of aid workers."<sup>37</sup> The Administration also has continued efforts to persuade Israel and Hamas to accept a proposed hostage-prisoner exchange that could pause the fighting for several weeks or more.<sup>38</sup>

### Cease-Fire Talks and New U.S.-Backed Proposal

Various cease-fire proposals brokered by Qatar and Egypt in 2024 have failed to date. Gaps have persisted between Israel and Hamas, with contention surrounding whether and how hostages might be returned, the conflict might end, and each side might acquiesce to a continuing role for the other in Gaza.<sup>39</sup>

<sup>32</sup> Michelle Kelemen, "Families of American hostages held in Gaza push UN for their release," NPR, March 16, 2024; "Israel says it seizes key Gaza-Egypt corridor," Agence France Presse.

<sup>33</sup> Letter from 12 Senators to President Biden dated December 20, 2023, at [https://www.heinrich.senate.gov/imo/media/doc/letter\\_to\\_potus\\_west\\_bank.pdf](https://www.heinrich.senate.gov/imo/media/doc/letter_to_potus_west_bank.pdf); Department of State, "Announcement of Visa Restriction Policy to Promote Peace, Security, and Stability in the West Bank," December 5, 2023.

<sup>34</sup> "Executive Order 14115 of February 1, 2024: Imposing Certain Sanctions on Persons Undermining Peace, Security, and Stability in the West Bank," *Federal Register*, vol. 89, no. 24, February 5, 2024, pp. 7605-7608.

<sup>35</sup> Department of State, "Announcement of Further Measures to Promote Peace, Security, and Stability in the West Bank," February 1, 2024; "Imposing Further Sanctions to Promote Peace, Security, and Stability in the West Bank," March 14, 2024; "Designations Related to Destabilizing Activities Affecting the West Bank," April 19, 2024.

<sup>36</sup> UK Government, "UK sanctions extremist settlers in the West Bank," February 12, 2024; Council of the European Union, "Extremist settlers in the occupied West Bank and East Jerusalem: Council sanctions four individuals and two entities over serious human rights abuses against Palestinians," April 19, 2024.

<sup>37</sup> White House, "Readout of President Joe Biden's Call with Prime Minister Netanyahu of Israel," April 4, 2024.

<sup>38</sup> "Hamas rejects Israel's ceasefire response, sticks to main demands," Reuters, April 13, 2024.

<sup>39</sup> Hamza Hendawi, "Gaza truce mediators finalising new proposal with negotiations to follow, sources say," *The National* (UAE), May 26, 2024.



On May 31, President Biden announced that Israel has offered the following new three-phase proposal, saying “It’s time for this war to end and for the day after to begin”:<sup>40</sup>

- **Phase 1.** A six-week cease-fire, during which Israel and Hamas would negotiate the terms of advancing to Phase 2. If they do not get to Phase 2, the cease-fire would persist as long as negotiations continue. Phase 1 would include Israeli military withdrawal from all populated areas of Gaza, a limited hostage-prisoner exchange (including American hostages), a surge in humanitarian aid, and the return of Gazan civilians to their home areas.
- **Phase 2.** Hostage-prisoner exchange for all living hostages, Israeli military withdrawal from Gaza, “permanent cessation of hostilities” so long as Hamas keeps its commitments.
- **Phase 3.** Major Gaza reconstruction plan would begin, and all remains of deceased hostages would be returned.

In remarks after the President’s announcement, a senior Administration official stated that the expected U.S. outcome is a Gaza “with Hamas no longer in power, with Hamas no longer able to threaten Israel.”<sup>41</sup>

In response, Prime Minister Netanyahu indicated that Israel had not changed its conditions for a permanent cease-fire, including the “destruction of Hamas military governing capabilities, the freeing of all hostages and ensuring that Gaza no longer poses a threat to Israel.”<sup>42</sup> Two of his aides were cited as saying that Israel “reserves the right to resume fighting at any time if Hamas violates its obligations under the deal.”<sup>43</sup> On June 3, Netanyahu cited “gaps” between what the President announced and Israel’s understanding of the proposal, saying, “The war will stop in order to bring hostages back, and afterward we will hold discussions. There are other details that the US president did not present to the public.”<sup>44</sup> Hamas said it was ready to deal positively with a proposal based on, among other things, a “permanent ceasefire and full withdrawal of Israeli forces” from Gaza.<sup>45</sup> With Netanyahu’s ultra-nationalist partners threatening to topple the government coalition if—according to Finance Minister Bezalel Smotrich—the government ends the war “without destroying Hamas and returning all the hostages,” Israeli opposition leader Yair Lapid reiterated a promise he raised earlier in 2024 to provide a political “safety net” for the government if necessary to secure a cease-fire deal.<sup>46</sup>

**Rafah: Israeli operations and border seizure, and U.S. and Egyptian concerns.** In early May, as Israeli forces approached Rafah, President Biden said in a CNN interview that “I have made it clear to Bibi [Netanyahu] and the war cabinet they’re not going to get our support [weapons and artillery shells] if, in fact, they’re going into these population centers.”<sup>47</sup> That same day, Secretary of Defense Lloyd Austin confirmed in testimony before the Senate Appropriations Subcommittee on Defense that the Administration had paused and was reviewing the potential delivery of some weapons to Israel “in the context of unfolding events in Rafah.”<sup>48</sup>

During May, Israeli forces began ground operations in Rafah, and called for evacuating many of the nearly 1.4 million civilians who were sheltering there (about one million of whom had previously been displaced from areas farther north). On May 22, National Security Advisor Jake Sullivan said, “What we have seen so far in terms of Israel’s military operations in that area has been more targeted and limited, has not involved major military operations into the heart of dense

<sup>40</sup> White House, “Remarks by President Biden on the Middle East,” May 31, 2024.

<sup>41</sup> White House, “Background Press Call on President Biden’s Remarks on the Middle East,” May 31, 2024.

<sup>42</sup> X, Prime Minister of Israel, June 1, 2024 – 3:52 AM, <https://x.com/IsraeliPM/status/1796811942218043488> and <https://x.com/IsraeliPM/status/1796811943753163139>.

<sup>43</sup> Barak Ravid, “Israel confirms Gaza hostage-ceasefire deal proposal details laid out by Biden,” *Axios*, June 1, 2024.

<sup>44</sup> Lazar Berman, “Netanyahu says there are ‘gaps’ between Israel’s proposal and terms presented by Biden,” *Times of Israel*, June 3, 2024.

<sup>45</sup> “Hamas says it ‘positively’ views Gaza ceasefire proposal set out by Biden,” *Reuters*, May 31, 2024.

<sup>46</sup> “Two far-right Israeli ministers threaten to topple the government if it accepts Biden peace plan,” *CNN*, June 2, 2024; Ravid, “Israel confirms Gaza hostage-ceasefire deal proposal details laid out by Biden”; Sam Sokol, “Lapid tells Netanyahu he’s willing to serve as ‘safety net’ to ensure approval of hostage deal,” *Times of Israel*, February 5, 2024.

<sup>47</sup> “Erin Burnett Outfront: One-On-One with the President of the United States,” *CNN*, May 8, 2024.

<sup>48</sup> Transcript available at <https://plus.cq.com/doc/congressionaltranscripts-8005751?0>.

urban areas. We now have to see what unfolds from here.”<sup>49</sup> On May 31, Israel acknowledged that some of its forces had advanced into central Rafah.<sup>50</sup> During May, about one million people apparently left Rafah in May for makeshift camps in other areas,<sup>51</sup> and U.N. officials have argued that these areas do not provide adequate access to water, sanitation facilities, and humanitarian aid.<sup>52</sup> International criticism of Israel spiked after a May 26 airstrike and fire that reportedly killed two Hamas personnel also killed dozens of civilians in a Rafah camp.<sup>53</sup>

In late May, Israel reportedly gained control of Gaza’s nine-mile border with Egypt, also known as the Philadelphi (or Salah al Din) Corridor.<sup>54</sup> Israel’s seizure of this area has heightened bilateral tensions with Egypt and seemingly exacerbated Egyptian security concerns, including in relation to troop deployments per the longtime Israel-Egypt peace treaty.<sup>55</sup> Israeli authorities say that controlling the corridor is essential to prevent Hamas from accessing weapons and contraband they say have long been smuggled into Gaza from Egypt,<sup>56</sup> despite Egyptian officials’ insistence that their forces had previously cut off smuggling routes.<sup>57</sup>

**Debate over replacing Hamas in Gaza.** Also in May, as Israeli forces increasingly confronted Hamas fighters in areas of Gaza that Israel had previously cleared,<sup>58</sup> U.S. officials became more vocal in arguing that Israeli military action was unlikely to decisively degrade Hamas in Gaza without a plan for replacing Hamas rule (discussed more below). In a May 13 press briefing, National Security Advisor Jake Sullivan said, “If Israel’s military efforts are not accompanied by a political plan for the future of Gaza and the Palestinian people, the terrorists will keep coming back and Israel will remain under threat.”<sup>59</sup> In the following weeks, debate in Israel also intensified on this subject, with Prime Minister Netanyahu’s fellow war cabinet members Defense Minister Yoav Gallant and Benny Gantz calling on Netanyahu to take steps to formulate a post-conflict governing alternative to Hamas that does not involve indefinite Israeli occupation.<sup>60</sup> Netanyahu said that Gantz’s approach would mean “defeat for Israel” and argued, “Until it

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<sup>49</sup> White House, “Press Briefing by Press Secretary Karine Jean-Pierre and National Security Advisor Jake Sullivan,” May 22, 2024.

<sup>50</sup> Aaron Boxerman and Lauren Leatherby, “Israel’s push into central Rafah defies international pressure,” *New York Times*, May 31, 2024.

<sup>51</sup> UN-OCHA, “Hostilities in the Gaza Strip and Israel | Flash Update #172,” May 29, 2024

<sup>52</sup> Chao Deng and Fatima AbdelKarim, “Palestinians Struggle for Food and Water After Fleeing Rafah,” *Wall Street Journal*, May 20, 2024.

<sup>53</sup> “Netanyahu calls Israeli strike that killed dozens in Gaza tent camp ‘tragic,’” NBC News, May 26, 2024.

<sup>54</sup> “Israel’s military says it’s taken control of a strategic corridor along Gaza’s border with Egypt,” Associated Press, May 29, 2024.

<sup>55</sup> Jared Malsin and Summer Said, “Israel’s Rafah Offensive Puts Egypt in a Dangerous Bind,” *Wall Street Journal*, May 30, 2024.

<sup>56</sup> Steven Erlanger et al., “Condemnation Slows, but Does Not Stall, Israel’s Assault on Rafah,” *New York Times*, May 25, 2024; Benny Avni, “Jerusalem-Cairo Relations in Jeopardy Over Disagreements Regarding Gaza and the Hamas War,” *New York Sun*, May 13, 2024.

<sup>57</sup> “Egypt replies to ‘false Israeli allegations’ about smuggling weapons through borders with Gaza,” *Egypt Today*, April 22, 2024.

<sup>58</sup> Damien Cave and Adam Rasgon, “Israeli Officers Chafe Over Lack of Postwar Plan,” *New York Times*, May 15, 2024.

<sup>59</sup> White House, “Press Briefing by Press Secretary Karine Jean-Pierre and National Security Advisor Jake Sullivan,” May 13, 2024.

<sup>60</sup> David Horowitz, “Fearing disaster for Israel, Gantz issues an ultimatum, but he doesn’t have the votes,” *Times of Israel*, May 19, 2024.

becomes clear that Hamas doesn't rule Gaza militarily, no actor will be ready to accept upon himself the civil rule of Gaza out of fear for his own safety."<sup>61</sup>

## Post-Conflict Positioning

**U.S. proposals involving Palestinians and Arab states.** U.S. officials have continued to push for a cease-fire that could eventually facilitate the orderly handover of governance to a "reformed" Palestinian Authority (PA) and "an over the horizon process that includes a vision for a demilitarized Palestinian state."<sup>62</sup> West Bank-based PA President Mahmoud Abbas said in November 2023 that the PA would only govern Gaza—which Hamas forcibly seized from the PA in 2007—in the context of significant progress toward establishing a Palestinian state in the West Bank and Gaza that has a capital in East Jerusalem.<sup>63</sup> The Administration also has reportedly discussed with some Arab states the conditions under which they might consider joining a peacekeeping force for Gaza—not including U.S. or European troops—until a credible Palestinian security alternative is established.<sup>64</sup>

**Israeli positions and domestic politics.** Prime Minister Netanyahu has insisted that Israel have full security control of "all territory west of the Jordan River," and said that his years-long stance on the subject has prevented the establishment of a Palestinian state.<sup>65</sup> He also has rejected having the PA replace Hamas in Gaza, arguing that it enables terrorism against Israel rhetorically and financially.<sup>66</sup> Instead, he has proposed that Israel work with local Gazans unaffiliated with Hamas or the PA, though one analyst has stated that outreach efforts to date to businesspeople and powerful families "have ended in catastrophe."<sup>67</sup> Netanyahu's stated unwillingness to agree to a PA role in Gaza or a two-state pathway (even in the context of a potential U.S.-backed normalization with Saudi Arabia) may stem in part from demands by the ultra-nationalist figures from his pre-war coalition who could trigger new elections.<sup>68</sup>

Future Israeli political developments remain unclear. Netanyahu's popularity dropped sharply after the October 7 attack, but his main rival Benny Gantz's previous advantage in informal polls appears to have diminished. It is uncertain to what extent this may stem from Gantz's cooperation with Netanyahu in the war cabinet,<sup>69</sup> Gantz's public disagreements with Netanyahu and possible

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<sup>61</sup> Gabriel Gavin, "Rift in Israel's war cabinet over postwar Gaza plan," *Politico Europe*, May 19, 2024; Emanuel Fabian et al., "Gallant to PM: Reject Israeli military, civil rule of Gaza after Hamas; I won't allow it," *Times of Israel*, May 15, 2024.

<sup>62</sup> U.S. Embassy in Israel, "Ambassador Lew's Remarks to the National Israel Mission of the Conference of Presidents," February 18, 2024.

<sup>63</sup> "Receiving US State Secretary, President Abbas demands immediate end to Israel's aggression on Gaza," Wafa News Agency, November 5, 2023.

<sup>64</sup> Andrew England and Felicia Schwartz, "US encouraging Arab states to join multinational postwar force in Gaza," *Financial Times*, May 15, 2024.

<sup>65</sup> Israel Prime Minister's Office, "Statement by PM Netanyahu," January 21, 2024.

<sup>66</sup> Benjamin Netanyahu, "Israel's Three Prerequisites for Peace," *Wall Street Journal*, December 26, 2023. The PA and Palestine Liberation Organization have made payments for decades to alleged militants and their families that many U.S. and Israeli officials and lawmakers argue provide incentives for terrorism against Israel, while also engaging in regular security coordination with Israel and the United States since 2007 to counter Hamas and other militants in the West Bank.

<sup>67</sup> "A look at Israel's postwar Gaza options as Hamas attempts to regroup," Associated Press/*Times of Israel*, May 23, 2024.

<sup>68</sup> Jonathan Lis and Amir Tibon, "Saudi Arabia to Normalize Relations with Israel: 'Decision on Timing to Be Made Within Days,' Diplomatic Source Says," *Haaretz*, April 29, 2024.

<sup>69</sup> Carrie Keller-Lynn, "Netanyahu's Main Challenger Loses His Edge," *Wall Street Journal*, May 21, 2024.

hints about leaving the wartime coalition,<sup>70</sup> and/or other anti-Netanyahu politicians considering the formation of a separate political bloc.<sup>71</sup> Moreover, international legal measures targeting Israel and Netanyahu could conceivably bolster Netanyahu's domestic popularity.<sup>72</sup>

## Issues for Congress

### U.S. Arms Sales Policy Regarding Israel

Expedited and ongoing U.S. arms exports to Israel have received increased congressional scrutiny since October 7. In contrast to routinely publishing U.S. security cooperation "fact sheets" that summarize recent assistance for Ukraine,<sup>73</sup> the Department of State's Bureau of Political-Military Affairs has not published a summary regarding assistance for Israel since October 2023.<sup>74</sup> In March 2024, one report noted that since October 7, 2023 the Administration had approved and delivered over 100 separate U.S. Foreign Military Sales (FMS) cases to Israel.<sup>75</sup>

Since October 7, most FMS and Direct Commercial Sales (DCS) to Israel were previously approved for delivery and accelerated, taken from the U.S. stockpile in Israel (known as War Reserve Stocks for Allies-Israel, or WRSA-I), and/or were not notified to Congress because their dollar value fell below the prior notice threshold<sup>76</sup> for transfers to Israel.<sup>77</sup>

The Administration has formally notified Congress of two FMS cases since October 7, both under emergency circumstances and therefore bypassing regular congressional review notice periods.<sup>78</sup> According to April and May media accounts, at least two other FMS cases have been "informally notified"<sup>79</sup> to the foreign affairs committees: one reportedly for 50 F-15 combat aircraft and associated munitions for \$18 billion,<sup>80</sup> and the other for \$1 billion for tank ammunition, tactical vehicles, and mortar rounds.<sup>81</sup> Before these sales advance to the formal notification stage, some

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<sup>70</sup> David Horowitz, "503 Israelis give Netanyahu reason to believe he can retain power, despite October 7," *Times of Israel*, May 30, 2024.

<sup>71</sup> "For first time in a year, poll shows Netanyahu preferred to Gantz as prime minister," *Times of Israel*, May 30, 2024.

<sup>72</sup> Jamie Dettmer, "The International Criminal Court just saved Benjamin Netanyahu," *Politico Europe*, May 20, 2024.

<sup>73</sup> For example, see Department of State, "U.S. Security Cooperation with Ukraine, Fact Sheet," May 10, 2024.

<sup>74</sup> Department of State, "U.S. Security Cooperation with Israel," October 19, 2023.

<sup>75</sup> John Hudson, "U.S. floods arms into Israel despite mounting alarm over war's conduct," *Washington Post*, March 6, 2024.

<sup>76</sup> Per the Arms Export Control Act (AECA), in the case of sales to NATO member states, NATO, Japan, Australia, South Korea, Israel, or New Zealand, the President must formally notify Congress 15 calendar days before proceeding with the sale. The prior notice threshold values for transfers to these recipients are \$25 million for the sale, enhancement, or upgrading of major defense equipment; \$100 million for the sale, enhancement, or upgrading of defense articles and defense services; and \$300 million for the sale, enhancement, or upgrading of design and construction services. See CRS Report RL31675, *Arms Sales: Congressional Review Process*, by Paul K. Kerr.

<sup>77</sup> See, Jared Malsin and Nancy A. Youssef, "How the U.S. Arms Pipeline to Israel Avoids Public Disclosure," *Wall Street Journal*, March 6, 2024.

<sup>78</sup> See footnote 76. Defense Security Cooperation Agency, "Israel—M830a1 120mm Tank Cartridges," December 9, 2023; and "Israel – 155mm Artillery Ammunition," December 29, 2023.

<sup>79</sup> The Department of State (on behalf of the President) submits to the Senate Foreign Relations Committee and House Foreign Affairs Committee an informal notification of a prospective major arms sale before the executive branch takes further formal action. See, CRS Report RL31675, *Arms Sales: Congressional Review Process*, by Paul K. Kerr.

<sup>80</sup> Lara Seligman, Joe Gould and Paul McLeary, "US weighs selling new fighter jets, missiles and guidance kits to Israel," *Politico*, April 1, 2024.

<sup>81</sup> Nancy A. Youssef and Jared Malsin, "Biden Moves Forward on \$1 Billion in New Arms for Israel," *Wall Street Journal*, May 14, 2024.

committee leaders have reportedly sought Israeli assurances that the equipment in question will be used in accordance with international law.<sup>82</sup>

## **Review of U.S. Arms Shipments and Congressional Action<sup>83</sup>**

In May 2024, U.S. officials confirmed reports that the Biden Administration is “reviewing some near-term security assistance” for Israel and had paused a shipment of 2,000-pound bombs and 500-pound bombs, based on concern about their potential use in Rafah.<sup>84</sup> Another report indicates that since December 2023, the State Department has been reviewing a \$260 million DCS (export license) to Israel for 6,500 Joint Direct Attack Munitions (JDAM) guidance kits.<sup>85</sup> In a letter to President Biden, House Foreign Affairs Committee Chairman Michael McCaul and Senate Foreign Relations Committee Ranking Member Jim Risch have asserted that neither committee has received formal notification of either a FMS or DCS sale that fits the Administration’s description of the paused bomb shipment.<sup>86</sup>

### **National Security Memorandum-20**

As international scrutiny of Israel’s conduct during the war has grown, the Biden Administration has taken some steps aimed at promoting adherence to international law and accountability for U.S. arms deliveries to Israel. On February 8, President Biden issued NSM-20, a new National Security Memorandum (an executive document, not standing law). The directive requires that prior to the transfer of any U.S. defense article, the Departments of State and Defense must obtain “credible and reliable” written assurances from the recipient country that it will use any such defense articles in accordance with international humanitarian law and, as applicable, other international law. It also requires that in any area where such defense articles are used, the “recipient country will facilitate and not arbitrarily deny, restrict, or otherwise impede the transport or delivery” of humanitarian assistance.<sup>87</sup> In late March, Israel provided those assurances to the United States. NSM-20 also required the Secretaries of State and Defense to assess for Congress whether U.S. defense articles have been used in a manner not consistent with international law. In May 2024, the Administration released its report to Congress under Section 2 of NSM-20 concluding, according to a copy released online by an advocacy group, that “given Israel’s significant reliance on U.S.-made defense articles, it is reasonable to assess that defense articles covered under NSM-20 have been used by Israeli security forces since October 7 in instances inconsistent with its IHL [International Humanitarian Law] obligations or with established best practices for mitigating civilian harm.”<sup>88</sup> Despite the concerns raised, the report assessed Israel’s March assurances (along with those of the other countries covered in the report) to be “credible and reliable so as to allow the provision of defense articles covered under NSM-20 to continue.”

Congress appears divided over the President’s weapons pause, with some lawmakers expressing agreement with the President’s decision<sup>89</sup> and others decrying it for what they call its effect on the

<sup>82</sup> Andrew Solender, Barak Ravid, Stephen Neukam, “Scoop: Israeli assurances fail to move key Democrat on F-15 deal,” *Axios*, April 12, 2024.

<sup>83</sup> For more information, see CRS Insight IN12359, *U.S. Review of an Arms Sale to Israel: Issues for Congress*, coordinated by Jeremy M. Sharp.

<sup>84</sup> Department of Defense, “Pentagon Press Secretary Air Force Maj. Gen. Pat Ryder Holds a Press Briefing,” May 9, 2024.

<sup>85</sup> Nancy A. Youssef, and Jared Malsin, “U.S. Delays Sending Precision Weapons to Israel,” *Wall Street Journal*, May 6, 2024.

<sup>86</sup> Senate Foreign Relations Committee, “Risch, McCaul Press Biden Admin on Blocking of Arms Sales to Israel,” May 15, 2024.

<sup>87</sup> White House, “National Security Memorandum on Safeguards and Accountability with Respect to Transferred Defense Articles and Defense Services,” February 8, 2024.

<sup>88</sup> Just Security, “State Department Submits Key Report to Congress on Israel’s Use of US Weapons,” May 10, 2024.

<sup>89</sup> For example, see Senator Tim Kaine, “Kaine Statement on Biden Administration Withholding Offensive Weapons Transfer to Israel,” May 8, 2024.



“timely delivery of security assistance to Israel.”<sup>90</sup> On May 16, 2024, the House passed (224 - 187) H.R. 8369, the Israel Security Assistance Support Act, which, among other things, would prohibit FY2024 or earlier funds from being used to withhold defense items/services to Israel. It also would withhold funds from the Secretary of Defense, Secretary of State, and the National Security Council until U.S. officials can certify that items withheld from Israel had been delivered. On May 22, the House Foreign Affairs Committee held a markup of H.R. 8437, the Maintaining Our Ironclad Commitment to Israel’s Security Act. That bill would, among other things, prohibit the President from suspending or abrogating a U.S. arms sale to Israel unless “not less than 15 days prior to such action,” the President first notifies Congress.<sup>91</sup>

## U.S. Foreign Assistance to Israel: Debate and Recent Legislation

As lawmakers have scrutinized U.S. arms sales to Israel, some have focused on how Congress may or may not condition, restrict, or halt U.S. foreign aid to Israel. Some lawmakers have focused on the application of Section 620M of the Foreign Assistance Act of 1961 (codified as 22 U.S.C. §2378d), as amended, otherwise known informally as the “Leahy Law.” The Leahy Law prohibits the furnishing of assistance to any foreign security force unit where there is credible information that the unit has committed a gross violation of human rights. In May 2024, several Senators wrote to the Secretaries of State and Defense, expressing concern that “successive administrations have neglected to implement the Leahy Law in Israel.”<sup>92</sup> In light of deteriorating humanitarian conditions in Gaza, some lawmakers have called on President Biden to apply Section 620I of the Foreign Assistance Act of 1961 (FAA), which prohibits providing certain assistance to foreign countries that block or impede delivery of U.S. humanitarian assistance.<sup>93</sup> Other Members have rejected calls for conditioning U.S. aid to Israel and have criticized the Administration for pressuring the Israeli government amid ongoing hostilities against foreign terrorist organizations such as Hamas and Hezbollah.<sup>94</sup>

In recent months, **Congress has enacted over \$12.6 billion** in direct Department of State and Defense regular and supplemental appropriations for Israel for FY2024 and FY2025. Lawmakers did not impose any conditions limiting the use of U.S. weaponry in Rafah or elsewhere.<sup>95</sup> For a breakdown of these funds by account, see **Table 1** below.

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<sup>90</sup> For example, see Speaker of the House Mike Johnson, “Speaker Johnson, Leader McConnell: ‘Security Assistance to Israel is an Urgent Priority That Must Not Be Delayed,’” May 8, 2024. See also, Representative Josh Gottheimer, “Gottheimer, Golden Lead 26 Democratic Members of Congress Urging NSA Jake Sullivan to Deliver Security Aid to Democratic Ally Israel,” May 10, 2024.

<sup>91</sup> Full bill text available from the House Committee on Foreign Affairs at: <https://foreignaffairs.house.gov/wp-content/uploads/2024/05/HR-8437-ANS.pdf>

<sup>92</sup> Senator Peter Welch, “Welch Leads Colleagues Calling for Consistent Application of Leahy Law to the IDF,” May 7, 2024.

<sup>93</sup> Representative Jason Crow, “Reps. Crow, Deluzio Lead 86 Members in Letter Urging Biden to Enforce U.S. Law & Policy Regarding US Humanitarian Aid to Gaza,” May 3, 2024.

<sup>94</sup> Speaker Mike Johnson (@SpeakerJohnson), “The President’s ultimatums should be going to Hamas, not Israel,” X post, April 4, 2024, <https://twitter.com/SpeakerJohnson/status/1776046097086972393>.

<sup>95</sup> After 20 House Members voted against passage of H.R. 8034 (P.L. 118-50), they released a press statement explaining that “Our votes against H.R. 8034 are votes against supplying more offensive weapons that could result in more killings of civilians in Rafah and elsewhere. We believe strongly in Israel’s right to self-defense and have joined colleagues previously in affirming our shared commitment.” See, Representative Becca Balint, “Statement from Castro, Velázquez, Doggett, Jayapal, Khanna, Ocasio-Cortez, Balint, Casar, Takano, McGovern, Barbara Lee, Blumenauer, Chu, Johnson, Carson, Watson Coleman, Jesús “Chuy” García, Jonathan Jackson, and Tokuda on the Israel Security Supplemental,” April 20, 2024.



**Table I. Recent U.S. Foreign Aid to Israel**

(in millions of current U.S. dollars)

Law	Foreign Military Financing	Missile Defense	Missile Defense - Iron Beam	Other
P.L. 118-50, Division A—Israel Security Supplemental Appropriations Act, 2024	\$3,500.00	\$4,000.00	\$1,200.00	n/a
P.L. 118-47, Further Consolidated Appropriations Act, 2024	\$3,300.00	\$500.00	n/a	\$95.50
P.L. 118-42, Consolidated Appropriations Act, 2024	n/a	n/a	n/a	\$13.00
<b>Total</b>	<b>\$6,800.00</b>	<b>\$4,500.00</b>	<b>\$1,200.00</b>	<b>\$108.50</b>

**Source:** congress.gov**Notes:** The “Other” column includes Department of Defense appropriations for counter-tunnel and counter-drone programs, U.S. contributions to binational foundations, and support for migrants.

## Humanitarian Assistance to Gaza (including UNRWA)

Congress has deliberated about the scope and conditions of humanitarian assistance for Gaza. Some Members have called for a halt to humanitarian aid in Gaza and/or greater monitoring of the risk of potential aid diversion by Hamas or other groups.<sup>96</sup> Other lawmakers have called for additional humanitarian aid for the Palestinians.<sup>97</sup> As of March 2024, the United States had committed around \$165.7 million in FY2024 aid for emergency relief efforts in the region.<sup>98</sup>

In April 2024, Congress appropriated more than \$9 billion in supplemental global humanitarian assistance in P.L. 118-50. President Biden has said that \$1 billion of these funds will be for humanitarian aid for Palestinians in Gaza.<sup>99</sup> Provisions accompanying FY2024 regular and supplemental appropriations for Gaza include certification, reporting, and other oversight mechanisms aimed at preventing aid diversion, misuse, or destruction.

In January, after allegations emerged that some employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) may have been involved in the October 7 attacks, the Department of State announced a temporary pause in U.S. funding to UNRWA, pending further review of the allegations.<sup>100</sup> Division G, Section 301 of the Further Consolidated Appropriations Act, 2024 (P.L. 118-47), prohibits U.S. contributions to UNRWA, notwithstanding any other provision of law, from funds made available by the act (or other acts) for “any amounts provided in prior fiscal years,” FY2024, and FY2025, until March 25, 2025.

<sup>96</sup> House Foreign Affairs Committee, “Committee Republicans Demand Answers After Reports of UNRWA Aid Ending Up in Hamas’ Hands,” January 17, 2024.

<sup>97</sup> Sen. Bob Casey, “Casey Urges President Biden to Do More to Address Famine in Gaza,” March 19, 2024; Sen. Chris Murphy, “Murphy, Van Hollen, Coons, Merkley, 21 Colleagues Urge Biden Administration to Work with Israel to Take 5 Steps to Get More Humanitarian Aid into Gaza,” February 2, 2024.

<sup>98</sup> U.S. Agency for International Development, Levant Complex Emergency Fact Sheet #4, March 8, 2024.

<sup>99</sup> White House, “Remarks by President Biden on the Passage of H.R. 815, the National Security Supplemental,” April 24, 2024. In February, a Department of State spokesperson anticipated \$1.4 billion to address needs in Gaza. Department of State Press Briefing, February 5, 2024.

<sup>100</sup> CRS Insight IN12316, *The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA): Overview and the U.S. Funding Pause*, by Rhoda Margesson and Jim Zanotti.

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