

AMENDMENT TO H.R. 5300

OFFERED BY MR. LAWLER OF NEW YORK

At the appropriate place, insert the following:

1 **TITLE ____—MAINTAINING OUR**
2 **IRONCLAD COMMITMENT TO**
3 **ISRAEL'S SECURITY ACT**

4 **SEC. ____ 1. SENSE OF CONGRESS.**

5 It is the sense of Congress that—

6 (1) Israel has a right to defend itself, which in-
7 cludes the need for offensive capabilities to deter
8 and defeat threats, including threats posed by Iran
9 and its terrorist proxies Hamas, Hezbollah, and the
10 Houthis;

11 (2) previously negotiated and approved United
12 States arms sales to Israel should proceed, and all
13 pauses should be lifted, to ensure that Israel is prop-
14 erly equipped to defend itself and defeat threats, in-
15 cluding threats posed by Iran and its terrorist prox-
16 ies Hamas, Hezbollah, and the Houthis; and

17 (3) limiting or otherwise delaying the sale or
18 delivery of United States-made defense articles to
19 Israel runs counter to the commitments the United
20 States made to Israel as part of the 2016 memo-

1 randum of understanding and undermines regional
2 security, including prospective advances in Israel-
3 Saudi normalization.

4 **SEC. ____ 2. CONGRESSIONAL OVERSIGHT OF PROPOSED**
5 **CHANGES TO ARMS SALES TO ISRAEL.**

6 (a) IN GENERAL.—The President may not take any
7 action to pause, suspend, delay, or abrogate the delivery
8 of covered defense articles and defense services to Israel,
9 including as part of a policy review, unless, not less than
10 15 legislative days prior to such action, the President pro-
11 vides to the appropriate committees of Congress the notifi-
12 cation described in (b) relating to such pause, suspension,
13 delay, or abrogation in unclassified form, with a classified
14 annex as necessary.

15 (b) NOTIFICATION DESCRIBED.—The notification de-
16 scribed in this subsection is a notification relating to a
17 pause, suspension, delay, or abrogation of the delivery of
18 covered defense articles and defense services, which shall
19 include the following:

20 (1) An identification of the end user of the cov-
21 ered defense articles and defense services concerned.

22 (2) A detailed description of the type of covered
23 defense articles and defense services concerned, in-
24 cluding the date on which Congress was notified of

1 the transfer of such covered defense articles and de-
2 fense services.

3 (3) A policy justification for the pause, suspen-
4 sion, delay, or abrogation and a description of the
5 potential impact such action may have on United
6 States national security interests.

7 (4) An identification of conditions for lifting the
8 pause, suspension, delay, or abrogation, a statement
9 as to whether such conditions will be communicated
10 to the Government of Israel, and the timeline for
11 meeting such conditions.

12 (5) A description of the sources of funds used
13 to provide the covered defense articles and defense
14 services concerned, including an identification of ap-
15 propriations accounts, as applicable.

16 (6) An identification of any bilateral agreement
17 or memorandum of understanding related to the au-
18 thority to provide the covered defense articles and
19 defense services concerned.

20 (7) An assessment as to whether the pause,
21 suspension, delay, or abrogation would adversely af-
22 fect the qualitative military edge of Israel over mili-
23 tary threats to Israel.

24 (c) DEFINITIONS.—In this section:

1 (1) APPROPRIATE COMMITTEES OF CON-
2 GRESS.—The term “appropriate committees of Con-
3 gress” means—

4 (A) the Committee on Foreign Relations
5 and the Committee on Appropriations of the
6 Senate; and

7 (B) the Committee on Foreign Affairs and
8 the Committee on Appropriations of the House
9 of Representatives.

10 (2) QUALITATIVE MILITARY EDGE.—The term
11 “qualitative military edge” has the meaning given
12 such term in section 36(h)(3) of the Arms Export
13 Control Act (22 U.S.C. 2776(h)(3)).

14 **SEC. ____ 3. CONGRESSIONAL REVIEW.**

15 (a) LIMITATION ON ACTIONS DURING INITIAL CON-
16 GRESSIONAL REVIEW PERIOD.—During the 15-legislative-
17 day period following the submission of a notification de-
18 scribed in section ____ 4(b), the President may not take
19 any action to pause, suspend, delay, or abrogate the deliv-
20 ery of covered defense articles and defense services to
21 Israel described in such notification.

22 (b) LIMITATION ON ACTIONS AFTER INTRODUCTION
23 OF A JOINT RESOLUTION OF DISAPPROVAL.—If a joint
24 resolution of disapproval relating to a notification de-
25 scribed in section ____ 4(b) is introduced, the President

1 may not take any action relating to the pause, suspension,
2 delay, or abrogation of the delivery of the covered defense
3 articles and defense services described in such notification
4 for a period of 10 legislative days, unless the joint resolu-
5 tion sooner passes both Houses of Congress.

6 (c) LIMITATION ON ACTIONS DURING PRESIDENTIAL
7 CONSIDERATION OF A JOINT RESOLUTION OF DIS-
8 APPROVAL.—If a joint resolution of disapproval relating
9 to notification described in section ____4(b) passes both
10 Houses of Congress, the President may not take any ac-
11 tion relating to the pause, suspension, delay, or abrogation
12 of the delivery of the covered defense articles and defense
13 services described in such notification for a period of 12
14 legislative days after the date of passage of the joint reso-
15 lution of disapproval, unless the President sooner vetoes
16 the joint resolution of disapproval.

17 (d) LIMITATION ON ACTIONS DURING CONGRES-
18 SIONAL RECONSIDERATION OF A JOINT RESOLUTION OF
19 DISAPPROVAL.—If the President vetoes the joint resolu-
20 tion of disapproval, the President may not take the action
21 described in such notification for a period of 10 legislative
22 days after the date of the President’s veto, unless the joint
23 resolution sooner fails of passage on reconsideration in ei-
24 ther House.

1 (e) EFFECT OF ENACTMENT OF A JOINT RESOLU-
2 TION OF DISAPPROVAL.—If a joint resolution of dis-
3 approval relating to notification described in section
4 ____4(b) is enacted into law, the President may not take
5 any action relating to the pause, suspension, delay, or ab-
6 rogation of the delivery to Israel of the covered defense
7 articles and defense services described in such notification
8 for a period of 180 days, at which point, the President
9 shall submit a new notification relating to any such action.

10 (f) JOINT RESOLUTIONS OF DISAPPROVAL.—

11 (1) DEFINITION.—In this section, the term
12 “joint resolution of disapproval” means only a joint
13 resolution of either House of Congress—

14 (A) the title of which is as follows: “A joint
15 resolution disapproving the President’s proposal
16 to pause, suspend, delay, or abrogate the deliv-
17 ery of covered defense articles and defense serv-
18 ices to Israel.”; and

19 (B) the sole matter after the resolving
20 clause of which is the following: “Congress dis-
21 approves of the action relating to pause, sus-
22 pend, delay, or abrogate the delivery of covered
23 defense articles and defense services to Israel
24 proposed by the President in the notification
25 described in section ____4(b) of the Maintain-

1 ing Our Ironclad Commitment to Israel's Secu-
2 rity Act on _____ relating to
3 _____.”, with the first blank space being
4 filled with the appropriate date and the second
5 blank space being filled with a short description
6 of the proposed action.

7 (2) INTRODUCTION.—During the period of 15
8 legislative days provided for under subsection (a), a
9 joint resolution of disapproval may be introduced—

10 (A) in the House of Representatives, by
11 the majority leader or the minority leader; and

12 (B) in the Senate, by the majority leader
13 (or the majority leader's designee) or the mi-
14 nority leader (or the minority leader's des-
15 ignee).

16 (3) FLOOR CONSIDERATION IN HOUSE OF REP-
17 RESENTATIVES.—

18 (A) REPORTING AND DISCHARGE.—If a
19 committee of the House of Representatives to
20 which a joint resolution of disapproval has been
21 referred has not reported the joint resolution
22 within 5 legislative days after the date of refer-
23 ral, that committee shall be discharged from
24 further consideration of the joint resolution.

1 (B) PROCEEDING TO CONSIDERATION.—

2 Beginning on the third legislative day after
3 each committee to which a joint resolution has
4 been referred reports the joint resolution to the
5 House or has been discharged from further con-
6 sideration thereof, it shall be in order to move
7 to proceed to consider the joint resolution in the
8 House. All points of order against the motion
9 are waived. Such a motion shall not be in order
10 after the House has disposed of a motion to
11 proceed on the joint resolution. The previous
12 question shall be considered as ordered on the
13 motion to its adoption without intervening mo-
14 tion. The motion shall not be debatable. A mo-
15 tion to reconsider the vote by which the motion
16 is disposed of shall not be in order.

17 (C) CONSIDERATION.—The joint resolution
18 shall be considered as read. All points of order
19 against the joint resolution and against its con-
20 sideration are waived. The previous question
21 shall be considered as ordered on the joint reso-
22 lution to final passage without intervening mo-
23 tion except 2 hours of debate equally divided
24 and controlled by the sponsor of the joint reso-
25 lution (or a designee) and an opponent. A mo-

1 tion to reconsider the vote on passage of the
2 joint resolution shall not be in order.

3 (4) CONSIDERATION IN THE SENATE.—

4 (A) COMMITTEE REFERRAL.—A joint reso-
5 lution of disapproval introduced in the Senate
6 shall be referred to the Committee on Foreign
7 Relations.

8 (B) REPORTING AND DISCHARGE.—If the
9 Committee on Foreign Relations has not re-
10 ported the joint resolution within 5 legislative
11 days after the date of referral of the joint reso-
12 lution, that committee shall be discharged from
13 further consideration of the joint resolution and
14 the joint resolution shall be placed on the ap-
15 propriate calendar.

16 (C) PROCEEDING TO CONSIDERATION.—
17 Notwithstanding Rule XXII of the Standing
18 Rules of the Senate, it is in order at any time
19 after the Committee on Foreign Relations re-
20 ports a joint resolution of disapproval to the
21 Senate or has been discharged from consider-
22 ation of such a joint resolution (even though a
23 previous motion to the same effect has been dis-
24 agreed to) to move to proceed to the consider-
25 ation of the joint resolution, and all points of

1 order against the joint resolution (and against
2 consideration of the joint resolution) are
3 waived. The motion to proceed is not debatable.
4 The motion is not subject to a motion to post-
5 pone. A motion to reconsider the vote by which
6 the motion is agreed to or disagreed to shall not
7 be in order.

8 (D) RULINGS OF THE CHAIR ON PROCE-
9 DURE.—Appeals from the decisions of the Chair
10 relating to the application of the rules of the
11 Senate, as the case may be, to the procedure re-
12 lating to a joint resolution of disapproval shall
13 be decided without debate.

14 (E) CONSIDERATION OF VETO MES-
15 SAGES.—Debate in the Senate of any veto mes-
16 sage with respect to a joint resolution of dis-
17 approval, including all debatable motions and
18 appeals in connection with the joint resolution,
19 shall be limited to 10 hours, to be equally di-
20 vided between, and controlled by, the majority
21 leader and the minority leader or their des-
22 ignees.

23 (5) RULES RELATING TO SENATE AND HOUSE
24 OF REPRESENTATIVES.—

1 (A) COORDINATION WITH ACTION BY
2 OTHER HOUSE.—If, before the passage by one
3 House of a joint resolution of that House, that
4 House receives a joint resolution from the other
5 House, then the following procedures shall
6 apply:

7 (i) The joint resolution of the other
8 House shall not be referred to a com-
9 mittee.

10 (ii) With respect to a joint resolution
11 of the House receiving the legislation—

12 (I) the procedure in that House
13 shall be the same as if no joint resolu-
14 tion had been received from the other
15 House; but

16 (II) the vote on passage shall be
17 on the joint resolution of the other
18 House.

19 (B) TREATMENT OF A JOINT RESOLUTION
20 OF OTHER HOUSE.—If one House fails to intro-
21 duce a joint resolution under this section, the
22 joint resolution of the other House shall be en-
23 titled to expedited floor procedures under this
24 section.

1 (C) TREATMENT OF COMPANION MEAS-
2 URES.—If, following passage of the joint resolu-
3 tion in the Senate, the Senate then receives a
4 companion measure from the House of Rep-
5 resentatives, the companion measure shall not
6 be debatable.

7 (D) APPLICATION TO REVENUE MEAS-
8 URES.—The provisions of this paragraph shall
9 not apply in the House of Representatives to a
10 joint resolution of disapproval that is a revenue
11 measure.

12 (6) RULES OF HOUSE OF REPRESENTATIVES
13 AND SENATE.—This subsection is enacted by Con-
14 gress—

15 (A) as an exercise of the rulemaking power
16 of the Senate and the House of Representa-
17 tives, respectively, and as such is deemed a part
18 of the rules of each House, respectively, and su-
19 persedes other rules only to the extent that it
20 is inconsistent with such rules; and

21 (B) with full recognition of the constitu-
22 tional right of either House to change the rules
23 (so far as relating to the procedure of that
24 House) at any time, in the same manner, and

1 to the same extent as in the case of any other
2 rule of that House.

3 **SEC. 4. DEFINITION OF COVERED DEFENSE ARTICLES AND**
4 **DEFENSE SERVICES.**

5 In this title, the term “covered defense articles and
6 defense services” means any defense article or defense
7 service provided under the authority of any of the fol-
8 lowing:

9 (1) Section 3 of the Arms Export Control Act
10 (22 U.S.C. 2753).

11 (2) Section 22 of the Arms Export Control Act
12 (22 U.S.C. 2762).

13 (3) Section 36 of the Arms Export Control Act
14 (22 U.S.C. 2776).

15 (4) Section 38 of the Arms Export Control Act
16 (22 U.S.C. 2778).

17 (5) Section 506 of the Foreign Assistance Act
18 of 1961 (22 U.S.C. 2318).

19 (6) Section 614 of the Foreign Assistance Act
20 of 1961 (22 U.S.C. 2364).

