

117TH CONGRESS
1ST SESSION

H. R. 3976

To provide defense and security assistance to ensure the survival of Israel and its people from an existing or imminent military threat, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2021

Mr. BUDD (for himself and Mr. MURPHY of North Carolina) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To provide defense and security assistance to ensure the survival of Israel and its people from an existing or imminent military threat, 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 “America Stands with
5 Israel Act”.

6 **SEC. 2. AUTHORITY TO ADDRESS EXISTING OR IMMINENT**
7 **MILITARY THREAT TO ISRAEL.**

8 (a) **AUTHORITY.**—The President, upon request of the
9 Prime Minister of Israel, is authorized to carry out such

1 actions that may be necessary to ensure the survival of
2 Israel and its people from an existing or imminent military
3 threat, including threats from other countries, terrorist or-
4 ganizations, and violent extremist, cyber, and chemical, bi-
5 ological, and nuclear threats. Any activities carried out
6 pursuant to such authority shall be conducted in a manner
7 that appropriately protects the national security interests
8 of the United States and the national security interests
9 of Israel.

10 (b) USE OF FORCE.—

11 (1) IN GENERAL.—In carrying out subsection
12 (a), the President is authorized to use force and in-
13 troduce United States Armed Forces—

14 (A) into hostilities or into situations where
15 imminent involvement in hostilities is clearly in-
16 dicated by the circumstances;

17 (B) into the territory, airspace or waters of
18 a foreign country, while equipped for combat; or

19 (C) in numbers which substantially enlarge
20 United States Armed Forces equipped for com-
21 bat already located in a foreign country.

22 (2) REPORT.—Not later than 48 hours after ex-
23 ercising the authority under this subsection, the
24 President shall submit to the Speaker of the House

1 of Representatives and to the President pro tempore
2 of the Senate a report, in writing, setting forth—

3 (A) the circumstances necessitating the in-
4 troduction of United States Armed Forces;

5 (B) the constitutional and legislative au-
6 thority under which such introduction took
7 place; and

8 (C) the estimated scope and duration of
9 the hostilities or any other situation described
10 in paragraph (1).

11 (c) OTHER INFORMATION TO BE REPORTED.—The
12 President shall provide such other information as Con-
13 gress may request in the fulfillment of its constitutional
14 responsibilities with respect to exercising the authority
15 under subsection (b).

16 (d) PERIODIC REPORTS; SEMIANNUAL REQUIRE-
17 MENT.—Whenever United States Armed Forces are intro-
18 duced into hostilities or into any other situation described
19 in subsection (b), the President shall, so long as such
20 Armed Forces continue to be engaged in such hostilities
21 or situation, report to Congress periodically on the status
22 of such hostilities or situation as well as on the scope and
23 duration of such hostilities or situation, but in no event
24 shall the President report to Congress less often than once
25 every six months.

1 **SEC. 3. WAIVER FOR EXISTING OR IMMINENT MILITARY**
2 **THREAT TO ISRAEL.**

3 Section 38 of the Arms Export Control Act (22
4 U.S.C. 2778) is amended by adding at the end the fol-
5 lowing:

6 “(1) **WAIVER FOR EXISTING OR IMMINENT MILITARY**
7 **THREAT TO ISRAEL.**—

8 “(1) **IN GENERAL.**—Upon receiving information
9 that Israel is under an existing or imminent threat
10 of military attack, the President may waive the re-
11 quirements of this Act and direct the immediate
12 transfer to Israel of such defense articles or services
13 the President determines to be necessary to assist
14 Israel in its defense against such threat. Amounts
15 obligated or expended to carry out this paragraph
16 shall not be subject to any limitation in law, or pro-
17 vision of any bilateral agreement, relating to the
18 amount of United States assistance authorized to be
19 made available to Israel.

20 “(2) **NOTIFICATION REQUIRED.**—As soon as
21 practicable after a transfer of defense articles or
22 services pursuant to the authority provided by para-
23 graph (1), the President shall provide a notification
24 in writing to Congress of the details of such trans-

1 fer, consistent with the requirements of section 36 of
2 this Act.”.

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