

117TH CONGRESS
1ST SESSION

H. R. 6004

To prohibit the use of funds for a United States Embassy, Consulate General, Legation, Consular Office, or any other diplomatic facility in Jerusalem other than the United States Embassy to the State of Israel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2021

Mr. KUSTOFF (for himself, Mr. SCALISE, Ms. STEFANIK, Mr. ZELDIN, Mr. ADERHOLT, Mr. ALLEN, Mr. ARRINGTON, Mr. BABIN, Mr. BACON, Mr. BALDERSON, Mr. BANKS, Mr. BARR, Mr. BERGMAN, Mr. BILIRAKIS, Mr. BOST, Mr. BROOKS, Mr. BUCHANAN, Mr. BUCK, Mr. BUDD, Mr. CALVERT, Mrs. CAMMACK, Mr. CARTER of Georgia, Mr. CAWTHORN, Mr. CLOUD, Mr. CRAWFORD, Mr. CRENSHAW, Mr. DESJARLAIS, Mr. DIAZ-BALART, Mr. DONALDS, Mr. DUNCAN, Mr. ELLZEY, Mr. EMMER, Mr. FITZPATRICK, Mr. FLEISCHMANN, Mr. GALLAGHER, Mr. GARBARINO, Mr. GARCIA of California, Mr. GIBBS, Mr. GIMENEZ, Mr. GOHMERT, Mr. GOOD of Virginia, Mr. GOODEN of Texas, Mr. GROTHMAN, Mr. GUEST, Mr. HARRIS, Mrs. HARTZLER, Mr. HILL, Mr. HUDSON, Mr. JACKSON, Mr. JOHNSON of Ohio, Mr. JOHNSON of South Dakota, Mr. JOHNSON of Louisiana, Mr. JORDAN, Mr. KELLER, Mr. LAMBORN, Mr. LATTA, Ms. LETLOW, Mr. LONG, Mr. LOUDERMILK, Ms. MACE, Mr. MAST, Mr. McCAUL, Mr. McCLINTOCK, Mr. MCKINLEY, Mrs. MILLER-MEEKS, Mrs. MILLER of West Virginia, Mrs. MILLER of Illinois, Mr. MOORE of Utah, Mr. MURPHY of North Carolina, Mr. NEWHOUSE, Mr. OWENS, Mr. PALMER, Mr. PENCE, Mr. PERRY, Mr. PFLUGER, Mr. RESCIENTHALER, Mr. ROY, Mr. RUTHERFORD, Ms. SALAZAR, Mr. SESSIONS, Mr. SMITH of Nebraska, Mr. SMITH of New Jersey, Mr. SMUCKER, Mrs. STEEL, Mr. STEUBE, Mr. STEWART, Ms. TENNEY, Mr. TIFFANY, Mr. TURNER, Mr. VAN DREW, Mrs. WAGNER, Mr. WALBERG, Mrs. WALORSKI, Mr. WALTZ, Mr. WEBER of Texas, Mr. WEBSTER of Florida, Mr. WENSTRUP, Mr. WILSON of South Carolina, Mr. WOMACK, Mr. MULLIN, Mr. JOYCE of Pennsylvania, Mr. ROGERS of Alabama, Mr. GRAVES of Louisiana, Mr. CHABOT, Mr. FEENSTRA, Mr. FULCHER, Mrs. RODGERS of Washington, Mr. POSEY, Mr. VALADAO, Mr. DAVIDSON, Mr. ROSE, Ms. CHENEY, and Mrs. BOEBERT) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To prohibit the use of funds for a United States Embassy, Consulate General, Legation, Consular Office, or any other diplomatic facility in Jerusalem other than the United States Embassy to the State of Israel, 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 “Upholding the 1995
5 Jerusalem Embassy Law Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) There has been overwhelming bipartisan
9 support in Congress for recognizing Jerusalem as
10 the eternal and undivided capital of the State of
11 Israel and moving the United States Embassy from
12 Tel Aviv to Jerusalem.

13 (2) On May 22, 1990, Congress unanimously
14 adopted Senate Concurrent Resolution 106 (101st
15 Congress), which declares that Congress “strongly
16 believes that Jerusalem must remain an undivided
17 city in which the rights of every ethnic religious
18 group are protected”.

19 (3) In June 1992, Congress unanimously adopt-
20 ed Senate Concurrent Resolution 113 (102nd Con-

1 gress) to commemorate the 25th anniversary of the
2 reunification of Jerusalem, and reaffirming congress-
3 sional sentiment that Jerusalem must remain an un-
4 divided city.

5 (4) In June 1993, 257 members of the House
6 of Representatives signed a letter to the Secretary of
7 State Warren Christopher stating that the relocation
8 of the United States Embassy to Jerusalem “should
9 take place no later than . . . 1999”.

10 (5) In March 1995, 93 United States Senators
11 signed a letter to Secretary of State Warren Chris-
12 topher encouraging “planning to begin now” for re-
13 location of the United States Embassy to the city of
14 Jerusalem.

15 (6) In November 1995, the Jerusalem Embassy
16 Act of 1995 (Public Law 104–45) became law after
17 receiving a 93–5 vote in the Senate and a 374–37
18 vote in the House of Representatives. The law ex-
19 presses support for recognizing Jerusalem as the
20 capital of Israel and facilitating the relocation of the
21 United States Embassy to Jerusalem.

22 (7) The Jerusalem Embassy Act of 1995 states,
23 as the policy of the United States—

1 (A) “Jerusalem should remain an undi-
2 vided city in which the rights of every ethnic
3 and religious group are protected”;

4 (B) “Jerusalem should be recognized as
5 the capital of the State of Israel”; and

6 (C) “the United States Embassy in Israel
7 should be established in Jerusalem no later
8 than May 31, 1999”.

9 (8) On May 20, 1997, the Senate unanimously
10 passed Senate Concurrent Resolution 21 (105th
11 Congress) to commemorate the 30th anniversary of
12 the reunification of Jerusalem during the Six Day
13 War, which—

14 (A) “congratulates the residents of Jeru-
15 salem and the people of Israel on the thirtieth
16 anniversary of the reunification of that historic
17 city”;

18 (B) “strongly believes that Jerusalem must
19 remain an undivided city in which the rights of
20 every ethnic and religious group are protected
21 as they have been by Israel during the past 30
22 years”;

23 (C) “calls upon the President and Sec-
24 retary of State to publicly affirm as a matter
25 of United States policy that Jerusalem must re-

1 main the undivided capital of the state of
2 Israel”; and

3 (D) “urges United States officials to re-
4 frain from any actions that contradict United
5 States law on this subject”.

6 (9) On June 10, 1997, the House of Represent-
7 atives adopted House Concurrent Resolution 60
8 (105th Congress) by a vote of 406–17 to commemo-
9 rate the 30th anniversary of the reunification of Je-
10 rusalem during the Six Day War, which—

11 (A) “congratulates the residents of Jeru-
12 salem and the people of Israel on the 30th an-
13 niversary of the reunification of that historic
14 city”;

15 (B) “strongly believes that Jerusalem must
16 remain an undivided city in which the rights of
17 every ethnic and religious group are protected
18 as they have been by Israel during the past 30
19 years”;

20 (C) “calls upon the President and the Sec-
21 retary of State to affirm publicly as a matter
22 of United States policy that Jerusalem must re-
23 main the undivided capital of the State of
24 Israel”; and

1 (D) “urges United States officials to re-
2 frain from any actions that contradict this pol-
3 icy”.

4 (10) In September 2002, Congress passed the
5 Foreign Relations Authorization Act, Fiscal Year
6 2003 (Public Law 107–228), which states, in section
7 214, the following:

8 (A) “The Congress maintains its commit-
9 ment to relocating the United States Embassy
10 in Israel to Jerusalem and urges the President,
11 pursuant to the Jerusalem Embassy Act of
12 1995 (Public Law 104–45; 109 Stat. 398), to
13 immediately begin the process of relocating the
14 United States Embassy in Israel to Jerusalem.”

15 (B) “None of the funds authorized to be
16 appropriated by this Act may be expended for
17 the operation of a United States consulate or
18 diplomatic facility in Jerusalem unless such
19 consulate or diplomatic facility is under the su-
20 pervision of the United States Ambassador to
21 Israel.”

22 (C) “None of the funds authorized to be
23 appropriated by this Act may be available for
24 the publication of any official government docu-
25 ment which lists countries and their capital cit-

1 ies unless the publication identifies Jerusalem
2 as the capital of Israel.”

3 (D) “For purposes of the registration of
4 birth, certification of nationality, or issuance of
5 a passport of a United States citizen born in
6 the city of Jerusalem, the Secretary shall, upon
7 the request of the citizen or the citizen’s legal
8 guardian, record the place of birth as Israel.”

9 (11) On June 5, 2007, the House of Represent-
10 atives passed, by voice vote, House Concurrent Reso-
11 lution 152 (110th Congress), to commemorate the
12 40th anniversary of the reunification of Jerusalem
13 during the Six Day War. The resolution “reiterates
14 [Congress’] commitment to the provisions of the Je-
15 rusalem Embassy Act of 1995 and calls upon the
16 President and all United States officials to abide by
17 its provisions”.

18 (12) On June 5, 2017, the Senate unanimously
19 passed Senate Resolution 176 (115th Congress) to
20 commemorate the 50th anniversary of the reunifica-
21 tion of Jerusalem during the Six Day War. The res-
22 olution “reaffirms the Jerusalem Embassy Act of
23 1995 (Public Law 104–45) as United States law,
24 and calls upon the President and all United States
25 officials to abide by its provisions.”

1 (13) On December 7, 2017, the United States
2 took the first step to implement the Jerusalem Em-
3 bassy Act of 1995 by formally recognizing Jerusalem
4 as the “eternal capital of Israel”.

5 (14) On May 14, 2018, the United States fur-
6 ther implemented the Jerusalem Embassy Act of
7 1995 by officially opening the United States Em-
8 bassy in Israel’s capital of Jerusalem.

9 (15) On March 4, 2019, the United States took
10 the final step to implement and become fully compli-
11 ant with the Jerusalem Embassy Act of 1995 by—

12 (A) moving the official United States Am-
13 bassador’s residence to Jerusalem; and

14 (B) merging the Consulate General of the
15 United States in Jerusalem with the United
16 States Embassy in Jerusalem.

17 (16) On February 2, 2021, the Senate adopted
18 Senate Amendment 786 to the budget resolution
19 (section 3012 of Senate Concurrent Resolution 5),
20 by a vote of 97–3, to maintain the United States
21 Embassy in Jerusalem permanently, and effectively
22 preventing it from being downgraded or moved out
23 of Israel’s capital of Jerusalem.

24 **SEC. 3. STATEMENT OF POLICY.**

25 It is the policy of the United States—

1 (1) to uphold, preserve, and reaffirm the clear
2 purpose and intent of the Statement of the Policy of
3 the United States in section 3(a) of the Jerusalem
4 Embassy Act of 1995 (Public Law 104–45; 109
5 Stat. 399);

6 (2) to uphold, preserve, and reaffirm United
7 States recognition of Jerusalem as the eternal cap-
8 ital of the State of Israel and an undivided city in
9 which the rights of every ethnic and religious group
10 are protected;

11 (3) to maintain the United States Embassy to
12 the State of Israel in Jerusalem, the capital of the
13 State of Israel; and

14 (4) not to reopen, open, or otherwise maintain
15 a United States Embassy, Consulate General, Lega-
16 tion, Consular Office, or any other diplomatic facility
17 in Jerusalem other than the United States Embassy
18 to the State of Israel.

19 **SEC. 4. PROHIBITION ON USE OF FUNDS FOR CERTAIN DIP-**
20 **LOMATIC FACILITIES.**

21 Section 1 of the Foreign Service Buildings Act, 1926
22 (22 U.S.C. 292) is amended by adding at the end the fol-
23 lowing:

24 “(d) PROHIBITION ON USE OF FUNDS.—Notwith-
25 standing any other provision of law, none of the funds au-

1 thORIZED to be appropriated on or after the date of the
2 enactment of this subsection may be used for a United
3 States Embassy, Consulate General, Legation, Consular
4 Office, or any other diplomatic facility in Jerusalem other
5 than the United States Embassy to the State of Israel.”.

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