

Emergency Supplemental Funding for Israel– The Current State of Play

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In the aftermath of the horrific Hamas terrorist attack against Israel on October 7 in which more than 1,400 people were murdered – including at least 35 American nationals – JINSA President Michael Makovsky, PhD urged: "It is critical that the United States remain a committed partner to Israel and fortify the foundations of peace... it is not enough for American leaders to rhetorically support the Jewish state. Israel needs concrete military assistance to defend itself."

President Biden's Emergency Supplemental Funding Request

On October 20, the Biden administration took the first step in that process by requesting \$14.3 billion in emergency supplemental funding to assist Israel in reestablishing its territorial security. The Biden administration's proposal tracks key JINSA Recommendations to Support Israel, including provisions to fund Iron Dome and ballistic missile defense systems and accelerate the delivery of ammunition and equipment. It also contains funding for humanitarian aid to Gaza.

However, whether Congress will act quickly on this proposal is unclear, as the president's request for Israel is part of a broader \$106 billion request that also includes:

- \$61.4 billion for security assistance in Ukraine;
- \$13.6 billion for U.S. border protection (but no border wall); and
- A combined \$9.2 billion for humanitarian assistance in Gaza, Ukraine, and elsewhere, split between the State Department's "Migration and Refugee Assistance" (\$5.7 billion) account and "International Disaster Assistance" (\$3.5 billion) account.

Republican Views on President's Request

Republicans are split over whether to link Israel and Ukraine aid. Senate Republican Leader Mitch McConnell (R-KY) supports combining assistance for Ukraine and Israel: "I view it as all interconnected." Others are more skeptical, with Sen. J.D. Vance (R-OH) circulating a memo that supports funding to Israel, but argues that linking Ukraine and Israel funding is "a grave error that betrays a lack of strategic focus." Many are also pushing for policy changes to better secure the U.S. border and skeptical of the price tag.

Speaker Johnson's Israel-Only Supplemental Bill

Reflecting these concerns, on Monday, October 30, House of Representatives Speaker Mike Johnson (R-LA) introduced a narrow Israel-focused bill in the Republican-controlled House, the Israel Security Supplemental Appropriations Act, which is expected to be voted on the House floor vote on Thursday, November 2. While the bill is substantially similar to the president's request for Israel, key differences include:

- 1) Moving \$3.5 billion from the State Department's Migration and Refugee Assistance account, as the president requested, to State's Foreign Military Financing account for Israel to secure unspecified "advanced weapon systems";
- 2) Including funding for the State Department to protect the U.S. embassy in Israel and other U.S. missions affected by the Hamas terrorist attacks on October 7, but removes \$50 million requested by the president for the U.S. embassy in Ukraine; and
- 3) Offseting the \$14.3 billion price tag of the bill through cuts from the Inflation Reduction Act of 2022, which increased funding for the Internal Revenue Service (IRS).

Prospects for House Passage

This narrower approach still has critics on the right who are not in favor of any additional foreign assistance, even for Israel. Rep. Thomas Massie (R-KY) already announced: "This week the House will vote on \$14.5 billion foreign aid package for Israel, in addition to the \$3.8 billion that already passed. I will be a NO vote. ... We simply can't afford it." He was joined by Rep. Marjorie Taylor Greene (R-GA) who opined: "I will be voting NO on all funding packages for the Ukraine war (as I have from the beginning) and now the Israel war. ... The United States government needs to focus on spending American's hard earned tax dollars on our own country and needs to serve the American people NOT the rest of the world." Given the Republicans' razor thin majority in the House, this could become a challenge for the bill's passage if support for it falls along party lines.

Prospects for Senate Passage

If passed by the House, a narrow bill will face a chilly reception in the Democrat-controlled Senate. Senate Foreign Relations Committee Chair Ben Cardin (D-MD) stated bluntly: "That's a poison pill and non-starter. It's just not the way we're going to proceed." The Senate is likely to pass its own broader bill. The escalating standoff then risks becoming part of the broader government funding negotiations needed to avoid a government shutdown on November 17.

Comparison of Key Israel Military Assistance Provisions Under Discussion

Missile Defense

 President's Request: \$4 billion for Iron Dome and David's Sling ballistic missile defense systems.

Speaker's Bill: Identical provision

This was JINSA's top recommendation to support Israel. Israel's Iron Dome missile defense system has saved countless Israeli and Palestinian lives, shooting down over 90 percent of rockets headed toward populated areas in recent years. Yet faced with a long conflict that depletes stockpiles of the system's interceptor missiles, the effectiveness of Iron Dome could diminish, increasing the risk of greater civilian casualties. As of October 31, at least 8,000 rockets, mortars, drones, and other projectiles have been fired from Gaza towards Israel, a significantly greater rate of fire than the 4,455 total munitions fired in the 11-day 2021 Gaza Conflict.

- For more detail on the effectiveness of these programs, see JINSA's Israel's Operation Shield and Arrow Recap and Gaza Conflict 2021 Assessment
- President's Request: \$1.2 billion to the Research, Development, Test and Evaluation of the Iron Beam defense system capabilities to counter short-range rockets and mortar threats.

Speaker's Bill: Includes an additional \$150 million for research and development beyond what President Biden requested for Iron Beam, but which is not specifically earmarked for the Iron Beam program.

- Directed energy systems, like Iron Beam, could drastically decrease the costs of intercepting projectiles. A single-use Israeli Tamir interceptor for an Iron Dome battery costs between \$40,000 to \$100,000, while militants frequently fire munitions costing only a few hundred dollars — a cost equation that encourages aggression. Once operational, laser air defenses would have immense benefits for American personnel and regional partners in the Middle East, who routinely face Iranian-linked mortars, rockets, missiles, and drones. Yet the need for immediate funding for Iron Beam is less obvious. While President Biden saw a prototype when he was in Israel in 2022 there has been little public indication the system is ready to be deployed in the current conflict.
 - For more from JINSA on this issue, see: U.S. Should Draw in Israel, Regional Players for Directed Energy Development.

Defense Articles (Including Ammunition And Spare Parts)

President's Request: \$4.4 billion to replace defense articles from Department of Defense (DOD) stocks; reimburse DOD components for defense services; improve ammunition plants and equipment to increase the capacity and accelerate production of equipment to more rapidly replenish defense stocks; and acquire critical defense articles, in lieu of article-specific specific procurement appropriations.

Speaker's Bill: Identical provision

- This is in line with JINSA's recommendation to provide Israel with ammunition and spare parts for its predominantly American-produced weapons systems, such as the F-16 and F-35 aircraft and Black Hawk and Apache helicopters. The intense tempo of operations required to defend Israel against this onslaught will inevitably result in damage and wear and tear to these platforms. The ability to repair them quickly will be vital to maintaining Israeli operations and defeating Hamas as quickly as possible.
- President's Request: \$801 million to improve U.S. ammunition plants and equipment to increase capacity; and accelerate the production of equipment in order to more rapidly replenish defense stocks. \$199 million to the Defense Production Act Purchases Account to mitigate industrial base constraints to allow for faster production of weapons and equipment.

Speaker's Bill: Includes the above funding with an additional \$10 million for the Navy weapon's procurement account and \$38.6 million for the Air Force's missile procurement account.

- These provisions are consistent with JINSA's recommendation to provide Israel with ammunition as dictated by military necessity.
- Speaker's Bill Only: \$3.5 billion to State's Foreign Military Financing (FMF) account for Israel use to secure unspecified "advanced weapon systems."

Depending on how "advanced weapon systems" is interpreted, this could be in line with JINSA's key recommendation to move swiftly to restock Israel with Joint Direct Attack Munitions (JDAMs) and Small Diameter Bombs (SDBs) to ensure it is able to continue its precise, effective, and careful operations.

War Reserve Stockpile Allies-Israel (WRSA-I)

❖ President's Request: Waive monetary caps for fiscal year 2024 which limits DOD's ability to transfer defense articles into the War Reserve Stockpile Allies-Israel (WRSA-I).

Speaker's Bill: Identical provision

- This is consistent with JINSA's key recommendation that the United States should also make sure that its stockpile of pre-positioned supplies in Israel, WRSA-I, is adequately stocked with critical weapons for Israel to access in emergencies such as this one. Current law imposes a \$500 million per fiscal year cap for all U.S. contributions to foreign country stockpiles, as well as a WRSA-I-specific monetary cap of \$200 million per fiscal year within that broader \$500 million cap.
 - > For more from JINSA on this issue, see: The Arsenal of Democracy's Stockpile in Israel
- President's Request: Modification of requirements for certain defense articles that the DOD transfers to Israel.

Speaker's Bill: Substantially similar provision

Existing law authorizes the DOD to transfer certain categories of defense articles to Israel in exchange for certain concessions from Israel, subject to multiple restrictions—including that the articles are obsolete or surplus to DOD and 30-day congressional notification requirements. This request would allow for the transfer of all categories of defense articles; remove the requirement that these articles be obsolete or surplus to DOD; allow DOD greater flexibility in determining the value of the concessions provided in exchange for the transfers; and provide for the possibility of shortening the 30-day prior notice period. Such a change could significantly speed up U.S. resupply efforts to Israel in the current crisis.

Securing U.S. Embassies and Humanitarian Assistance

❖ President's Request: \$200 million for the State Department to secure U.S. embassies in Ukraine and Israel, provide support in the current crisis, and relocation and repatriation of U.S. citizens from the region.

Speaker's Bill: Removes \$50 million for the U.S. embassy in Ukraine, otherwise identical.

- The Speaker's bill appropriates \$150 million for embassy protection for responding to the attacks in Israel and the areas impacted by the attacks in Israel. This includes crisis response and relocation support for the U.S. Mission in Israel and other affected posts.
- President's Request: \$3.5 billion to the Migration and Refugee Assistance (MRA) account to provide humanitarian assistance in Israel and Ukraine, and in areas impacted by the situations in Israel and Ukraine. These resources would support displaced and conflictaffected civilians, including refugees from Ukraine and Palestinian refugees in Gaza and the West Bank, and to address potential needs of Gazans fleeing to neighboring countries.

Speaker's Bill: Omits funding in president's request.

U.S. oversight of humanitarian assistance in Gaza is limited. While the United Nations Relief and Works Agency (UNRWA) is the lead UN agency operating in Gaza and, along with its

implementing partners, would almost certainly be charged with distributing much of the humanitarian assistance, there is a significant concern that U.S. assistance would be diverted to Hamas and other terrorist groups inside of Gaza. Recent reports of Hamas seizing fuel and other supplies from UNRWA facilities is only the latest in over a decadeslong trend of brazen Hamas appropriations of crucial humanitarian resources for its own terrorist activity. NSC spokesperson John Kirby has admitted, "we don't have a footprint" in Gaza. "I mean, we're not on the ground to personally inspect these things, but we do have trusted partners on the ground, including the U.N. and some of these aid organizations who will report what they're seeing."

This proposal has drawn strong opposition from Republicans. Sen. Tom Cotton's (R-AR) statement is illustrative: "We will not spend... \$3.5 billion to address the 'potential needs of Gazans,' essentially functioning as a resupply line for Hamas terrorists."

President's Request: \$5.7 billion for the Agency for International Development's International Disaster Assistance account to meet rising humanitarian needs stemming from Russia's war in Ukraine, the outbreak of conflict in Gaza, and cascading regional and global impacts of those crises.

Speaker's Bill: Omits funding in president's request.

Similar concerns to previous section.

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President's Request: None.

Speaker's Bill: Offsets the \$14.3 billion of the bill through cuts from the Inflation Reduction Act of 2022 (Sec. 10301), which increased funding for the Internal Revenue Service (IRS).

This provision is in response to comments from members like Rep. Chip Roy (R-TX), who have complained: "I am tired of this stuff. I do not believe we should write another blank check to anyone, including ourselves. We must pay for it."