

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8437
OFFERED BY MR. MCCAUL OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Maintaining Our Iron-
3 clad Commitment to Israel’s Security Act”.

4 SEC. 2. FINDINGS.

5 Congress finds the following:

6 (1) In 2016 the Obama Administration con-
7 cluded negotiations with Israel for a 10-year Memo-
8 randum of Understanding covering security assist-
9 ance for fiscal years 2019 to 2028 that affirmed
10 “the unshakeable commitment of the United States
11 to Israel’s security”.

12 (2) In May 2024, the Biden Administration de-
13 layed shipment of 1,800 2,000-pound bombs and
14 1,700 500-pound bombs to Israel in an effort to
15 place political pressure on the Government of Israel.

16 (3) This decision of the Biden Administration
17 was made without consulting or notifying Congress
18 and despite repeated public assurances that the

1 United States-Israel relationship was “ironclad” and
2 that there was “no change in policy”.

3 (4) On May 8, 2024, President Biden stated re-
4 garding Israel, “We’re not going to supply the weap-
5 ons and artillery shells.”.

6 **SEC. 3. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

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

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

19 (3) limiting or otherwise delaying the sale or
20 delivery of United States-made defense articles to
21 Israel runs counter to the commitments the United
22 States made to Israel as part of the 2016 Memo-
23 randum of Understanding and undermines regional
24 security, including prospective advances in Israel-
25 Saudi normalization.

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

3 (a) IN GENERAL.—The President may not take any
4 action to pause, suspend, delay, or abrogate the delivery
5 of covered defense articles or defense services to Israel,
6 including as part of a policy review, unless, not less than
7 15 days prior to such action, the President provides the
8 notification described in (b) relating to such pause, sus-
9 pension, delay, or abrogation in unclassified form, with a
10 classified annex as necessary, to the appropriate congres-
11 sional committees.

12 (b) NOTIFICATION DESCRIBED.—The notification re-
13 lating to a pause, suspension, delay, or abrogation to the
14 delivery of covered defense articles or defense services
15 shall include the following:

16 (1) An identification of the end user of the arti-
17 cles or services.

18 (2) A detailed description of the type of articles
19 or services to include the date on which Congress
20 was notified of the transfer of the articles or serv-
21 ices.

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

1 (4) An identification of conditions for lifting the
2 pause, suspension, delay, or abrogation and whether
3 such conditions will be communicated to the Govern-
4 ment of Israel and the timeline for meeting such
5 conditions.

6 (5) A description of the sources of funds, in-
7 cluding an identification of appropriations accounts
8 if applicable, used to provide the articles or services.

9 (6) An identification of any bilateral agreement
10 or memorandum of understanding related to the au-
11 thority to provide the articles or services.

12 (7) A description as to whether the action
13 would adversely affect Israel’s qualitative military
14 edge over military threats to Israel.

15 (c) DEFINITIONS.—In this section—

16 (1) the term “appropriate congressional com-
17 mittees” means—

18 (A) the Committee on Foreign Affairs and
19 the Committee on Appropriations of the House
20 of Representatives; and

21 (B) the Committee on Foreign Relations
22 and the Committee on Appropriations of the
23 Senate; and

1 (2) the term “qualitative military edge” has the
2 meaning given that term in section 36(h)(3) of the
3 Arms Export Control Act (22 U.S.C. 2776(h)(3)).

4 **SEC. 5. CONGRESSIONAL REVIEW.**

5 (a) **LIMITATION ON ACTIONS DURING INITIAL CON-**
6 **GRESSIONAL REVIEW PERIOD.**—During the 15 day period
7 following the submission of a notification described in sec-
8 tion 4(b), the President may not take any action to pause,
9 suspend, delay, or abrogate the delivery of covered defense
10 articles or services to Israel described in such notification.

11 (b) **LIMITATION ON ACTIONS AFTER INTRODUCTION**
12 **OF A JOINT RESOLUTION OF DISAPPROVAL.**—If a joint
13 resolution of disapproval relating to notification described
14 in section 4(b) is introduced, the President may not take
15 any action relating to the pause, suspension, delay, or ab-
16 rogation to the delivery of covered defense articles or de-
17 fense services described in such notification for a period
18 of 10 calendar days, unless the joint resolution sooner
19 passes both Houses of Congress.

20 (c) **LIMITATION ON ACTIONS DURING PRESIDENTIAL**
21 **CONSIDERATION OF A JOINT RESOLUTION OF DIS-**
22 **APPROVAL.**—If a joint resolution of disapproval relating
23 to notification described in section 4(b) passes both
24 Houses of Congress, the President may not take any ac-
25 tion relating to the pause, suspension, delay, or abrogation

1 to the delivery of covered defense articles or defense serv-
2 ices described in such notification for a period of 12 cal-
3 endar days after the date of passage of the joint resolution
4 of disapproval, unless the President sooner vetoes the joint
5 resolution of disapproval.

6 (d) LIMITATION ON ACTIONS DURING CONGRES-
7 SIONAL RECONSIDERATION OF A JOINT RESOLUTION OF
8 DISAPPROVAL.—If the President vetoes the joint resolu-
9 tion of disapproval, the President may not take the action
10 described in such notification for a period of 10 calendar
11 days after the date of the President’s veto, unless the joint
12 resolution sooner fails of passage on reconsideration in ei-
13 ther House.

14 (e) EFFECT OF ENACTMENT OF A JOINT RESOLU-
15 TION OF DISAPPROVAL.—If a joint resolution of dis-
16 approval relating to notification described in section 4(b)
17 is enacted into law, the President may not take any action
18 relating to the pause, suspension, delay, or abrogation to
19 the delivery of covered defense articles or services to Israel
20 described in such notification for a period of 180 days,
21 at which point, the President must submit a new notifica-
22 tion relating to such action.

23 (f) JOINT RESOLUTIONS OF DISAPPROVAL.—

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

4 (A) the title of which is as follows: “A joint
5 resolution disapproving the President’s proposal
6 to pause, suspend, delay, or abrogate the deliv-
7 ery of covered defense articles or defense serv-
8 ices to Israel.”; and

9 (B) the sole matter after the resolving
10 clause of which is the following: “Congress dis-
11 approves of the action relating to pause, sus-
12 pend, delay, or abrogate the delivery of covered
13 defense articles or defense services to Israel
14 proposed by the President in the notification
15 described in section 4(b) of the Maintaining
16 Our Ironclad Commitment to Israel’s Security
17 Act on _____ relating to _____,
18 with the first blank space being filled with the
19 appropriate date and the second blank space
20 being filled with a short description of the pro-
21 posed action.

22 (2) INTRODUCTION.—During the period of 15
23 calendar days provided for under subsection (b)(1),
24 a joint resolution of disapproval may be intro-
25 duced—

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

3 (B) in the Senate, by the majority leader
4 (or the majority leader's designee) or the mi-
5 nority leader (or the minority leader's des-
6 ignee).

7 (3) FLOOR CONSIDERATION IN HOUSE OF REP-
8 REPRESENTATIVES.—

9 (A) REPORTING AND DISCHARGE.—If a
10 committee of the House of Representatives to
11 which a joint resolution of disapproval has been
12 referred has not reported the joint resolution
13 within 5 legislative days after the date of refer-
14 ral, that committee shall be discharged from
15 further consideration of the joint resolution.

16 (B) PROCEEDING TO CONSIDERATION.—
17 Beginning on the third legislative day after
18 each committee to which a joint resolution has
19 been referred reports the joint resolution to the
20 House or has been discharged from further con-
21 sideration thereof, it shall be in order to move
22 to proceed to consider the joint resolution in the
23 House. All points of order against the motion
24 are waived. Such a motion shall not be in order
25 after the House has disposed of a motion to

1 proceed on the joint resolution. The previous
2 question shall be considered as ordered on the
3 motion to its adoption without intervening mo-
4 tion. The motion shall not be debatable. A mo-
5 tion to reconsider the vote by which the motion
6 is disposed of shall not be in order.

7 (C) CONSIDERATION.—The joint resolution
8 shall be considered as read. All points of order
9 against the joint resolution and against its con-
10 sideration are waived. The previous question
11 shall be considered as ordered on the joint reso-
12 lution to final passage without intervening mo-
13 tion except 2 hours of debate equally divided
14 and controlled by the sponsor of the joint reso-
15 lution (or a designee) and an opponent. A mo-
16 tion to reconsider the vote on passage of the
17 joint resolution shall not be in order.

18 (4) CONSIDERATION IN THE SENATE.—

19 (A) COMMITTEE REFERRAL.—A joint reso-
20 lution of disapproval introduced in the Senate
21 shall be referred to the Committee on Foreign
22 Relations.

23 (B) REPORTING AND DISCHARGE.—If the
24 Committee on Foreign Relations has not re-
25 ported the joint resolution within 5 calendar

1 days after the date of referral of the joint reso-
2 lution, that committee shall be discharged from
3 further consideration of the joint resolution and
4 the joint resolution shall be placed on the ap-
5 propriate calendar.

6 (C) PROCEEDING TO CONSIDERATION.—
7 Notwithstanding Rule XXII of the Standing
8 Rules of the Senate, it is in order at any time
9 after the Committee on Foreign Relations re-
10 ports a joint resolution of disapproval to the
11 Senate or has been discharged from consider-
12 ation of such a joint resolution (even though a
13 previous motion to the same effect has been dis-
14 agreed to) to move to proceed to the consider-
15 ation of the joint resolution, and all points of
16 order against the joint resolution (and against
17 consideration of the joint resolution) are
18 waived. The motion to proceed is not debatable.
19 The motion is not subject to a motion to post-
20 pone. A motion to reconsider the vote by which
21 the motion is agreed to or disagreed to shall not
22 be in order.

23 (D) RULINGS OF THE CHAIR ON PROCE-
24 DURE.—Appeals from the decisions of the Chair
25 relating to the application of the rules of the

1 Senate, as the case may be, to the procedure re-
2 lating to a joint resolution of disapproval shall
3 be decided without debate.

4 (E) CONSIDERATION OF VETO MES-
5 SAGES.—Debate in the Senate of any veto mes-
6 sage with respect to a joint resolution of dis-
7 approval, including all debatable motions and
8 appeals in connection with the joint resolution,
9 shall be limited to 10 hours, to be equally di-
10 vided between, and controlled by, the majority
11 leader and the minority leader or their des-
12 ignees.

13 (5) RULES RELATING TO SENATE AND HOUSE
14 OF REPRESENTATIVES.—

15 (A) COORDINATION WITH ACTION BY
16 OTHER HOUSE.—If, before the passage by one
17 House of a joint resolution of that House, that
18 House receives a joint resolution from the other
19 House, then the following procedures shall
20 apply:

21 (i) The joint resolution of the other
22 House shall not be referred to a com-
23 mittee.

24 (ii) With respect to a joint resolution
25 of the House receiving the legislation—

1 (I) the procedure in that House
2 shall be the same as if no joint resolu-
3 tion had been received from the other
4 House; but

5 (II) the vote on passage shall be
6 on the joint resolution of the other
7 House.

8 (B) TREATMENT OF A JOINT RESOLUTION
9 OF OTHER HOUSE.—If one House fails to intro-
10 duce a joint resolution under this section, the
11 joint resolution of the other House shall be en-
12 titled to expedited floor procedures under this
13 section.

14 (C) TREATMENT OF COMPANION MEAS-
15 URES.—If, following passage of the joint resolu-
16 tion in the Senate, the Senate then receives a
17 companion measure from the House of Rep-
18 resentatives, the companion measure shall not
19 be debatable.

20 (D) APPLICATION TO REVENUE MEAS-
21 URES.—The provisions of this paragraph shall
22 not apply in the House of Representatives to a
23 joint resolution of disapproval that is a revenue
24 measure.

1 (6) RULES OF HOUSE OF REPRESENTATIVES
2 AND SENATE.—This subsection is enacted by Con-
3 gress—

4 (A) as an exercise of the rulemaking power
5 of the Senate and the House of Representa-
6 tives, respectively, and as such is deemed a part
7 of the rules of each House, respectively, and su-
8 persedes other rules only to the extent that it
9 is inconsistent with such rules; and

10 (B) with full recognition of the constitu-
11 tional right of either House to change the rules
12 (so far as relating to the procedure of that
13 House) at any time, in the same manner, and
14 to the same extent as in the case of any other
15 rule of that House.

16 **SEC. 6. COVERED DEFENSE ARTICLES AND DEFENSE SERV-**
17 **ICES DEFINED.**

18 In this Act, the term “covered defense articles and
19 defense services” means those defense articles and defense
20 services that are provided under any of the following au-
21 thorities:

22 (1) Section 3 of the Arms Export Control Act
23 (22 U.S.C. 2753).

24 (2) Section 22 of the Arms Export Control Act
25 (22 U.S.C. 2762).

1 (3) Section 36 of the Arms Export Control Act
2 (22 U.S.C. 2776).

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

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

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

