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Israel and Hamas 2023 Conflict In Brief: Overview, U.S. Policy, and Options for Congress

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Israel and Hamas 2023 Conflict In Brief: Overview, U.S. Policy, and Options for Congress

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November 14, 2023

Jim Zanotti
Specialist in Middle
Eastern Affairs

Jeremy M. Sharp
Specialist in Middle
Eastern Affairs

On October 7, 2023, the Palestinian Sunni Islamist group Hamas (a U.S.-designated foreign terrorist organization, or FTO) led surprise attacks against Israel from the Gaza Strip by land, sea, and air. The assault came on a Jewish holiday, 50 years after the Egypt-Syria surprise attack on Israel that sparked the 1973 Yom Kippur War. The October 7 assault's scope and lethality against Israel have no precedent in the 16 years Hamas has controlled Gaza, and the nature of the violence stunned Israelis. The apparent intelligence and operational failures in preventing the assault have become a subject of analysis for Israeli and U.S. officials. Iran reportedly provides material support to Hamas, and according to U.S. officials may be complicit in a broad sense, but President Joe Biden has said "there is no evidence" that Iran helped plan the attack.

In response to the October 7 attacks, Israel's cabinet formally declared war on Hamas. Israel has initiated efforts to recover roughly 239 hostages (including some Americans) taken during the Hamas-led assault, conducted an aerial bombardment campaign, and launched ground operations against Hamas in Gaza. Israel also halted supplies from Israeli territory to Gaza of electricity, food, and fuel. Before the conflict, Gaza had already faced crisis-level economic and humanitarian conditions. Israeli Prime Minister Benjamin Netanyahu has announced that Israel's military objectives are "To destroy the military and governmental capabilities of Hamas and bring the hostages home." As of November 13, Israeli forces have reportedly encircled Gaza City, where they are targeting Hamas's command structure and vast network of tunnels.

The United Nations has stated that Gaza, with an estimated 1.5 million Gazans displaced (nearly three-fourths of the territory's approximately 2.1 million people) constitutes a major humanitarian crisis. As of mid-November, U.S., Egyptian, Israeli, and U.N. officials have coordinated a process by which some 100 trucks with humanitarian supplies are entering Gaza daily from Egypt. The U.N. Secretary-General has repeatedly called for a humanitarian cease-fire. The Biden Administration has stated that Israel has the right and obligation to defend itself, and has resisted calls from other international actors for a cease-fire—though U.S. leaders have reportedly warned Israeli counterparts that global outcry over civilian suffering could reach "a tipping point." To date, Israel has refused any prolonged cease-fire without the release of Israeli hostages, though it has allowed some localized four-hour pauses.

Reportedly, more than 1,200 Israelis and foreign nationals (including 35 U.S. citizens in Israel) and more than 11,000 Palestinians in Gaza have been killed as of November 13. Some U.S. citizens reportedly remain in Gaza, though hundreds have crossed into Egypt since November 1, along with some injured Palestinians and other foreign nationals. Five hostages (including two Americans) have been released or rescued to date, and one Israeli soldier has died in captivity.

There are risks that the conflict could expand. For example, the Iran-backed Shia Islamist group Lebanese Hezbollah (another FTO) has exchanged fire with Israel and could create a second front at the Israel-Lebanon border. U.S. statements and actions, including expedited arms deliveries to Israel and the movement of major U.S. military assets, appear intended to warn Hezbollah or others not to get involved. U.S. officials have warned Iran of a strong response if groups Iran supports continue to target U.S. military positions in the region. Additionally, amid rising violence between Palestinians and Israelis in the West Bank, President Biden has called for attacks by "extremist settlers" against Palestinians to stop.

Israeli Prime Minister Netanyahu has said that Israel will have overall security responsibility for Gaza for an indefinite period after the conflict, while U.S. officials have said that a potentially transitional Israeli security presence should not prevent the West Bank-based Palestinian Authority (PA) from resuming governance responsibilities in Gaza, in connection with efforts to move Israel and the Palestinians away from violence and toward a two-state solution.

In October 2023, President Biden asked Congress to appropriate more than \$8 billion in U.S. security assistance for Israel, and more than \$9 billion in global humanitarian assistance amounts that could partly be allocated for Gaza, the West Bank, and Israel. Members of Congress have expressed differing views on the request and its various elements. Congress also may weigh other legislative and oversight options.

Contents

Conflict Overview	1
Background	1
Key Developments	4
U.S. Policy.....	6
Israeli Military Operations and Pauses.....	6
Potential Post-Conflict Scenarios.....	6
U.S. Military Deployments	8
U.S. Military Response to Iranian-Supported Groups	8
U.S. Expedited Arms Deliveries to Israel	9
Humanitarian Assistance for Palestinians	9
President’s Budget Request to Congress and Proposed Legislation	10
Possible Options for Congress.....	11
Additional U.S. Assistance for Israel	11
Humanitarian Assistance for Palestinians and Israel.....	11
End-Use Monitoring of U.S. Defense Articles.....	11
Calls for a Cease-Fire, Pauses, and/or Respect for International Law	12

Figures

Figure 1. Israel and Gaza: Conflict Map	2
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Contacts

Author Information.....	13
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Conflict Overview

Background

On October 7, 2023, the Palestinian Sunni Islamist group Hamas (a U.S.-designated foreign terrorist organization, or FTO) led a series of surprise attacks from the Gaza Strip by land, sea, and air against Israel (see **Figure 1**). Palestine Islamic Jihad (or PIJ, another FTO) claimed that its forces also participated in the attacks, and other militants outside of Hamas and PIJ may also have joined. The assault targeted Israeli military bases and civilian areas during the final Jewish high holiday, just over 50 years after the Egypt-Syria surprise attack on Israel that sparked the 1973 Yom Kippur War (known in the Arab world as the October War). The October 7 attacks' scope and lethality have no precedent in the 16 years Hamas has controlled Gaza. The nature of the violence stunned Israelis and many others.¹

The apparent intelligence and operational failures in preventing the assault or limiting its impact have become a subject of some debate in Israel and elsewhere. Some analysts have said that Israel may have missed signals, over-relied on technological solutions, and/or misread Hamas's intentions, among other factors.² Iran reportedly provides material support to Hamas, and according to U.S. officials may be complicit in a broad sense, but President Joe Biden has said "there is no evidence" that Iran helped plan the attack.³

In response to the attacks, Israel's cabinet formally declared war on Hamas, and Prime Minister Benjamin Netanyahu formed an emergency unity government with some members of the opposition. Israel also halted supplies from Israeli territory to Gaza of electricity, food, and fuel. Israel's military has mobilized hundreds of thousands of troops, conducted air and artillery bombardments in Gaza, and has encircled Gaza City through ground operations. Hamas and other Gaza-based militants have continued indiscriminate rocket fire into Israel. On October 13, the Israel Defense Forces (IDF) announced that it was "call[ing] for" the evacuation of all civilians in Gaza City "from their homes southwards for their own safety and protection."⁴ Hamas reportedly called on people in these areas to remain in place.⁵

More than 1.5 million Gazans (nearly three-fourths of the territory's approximately 2.1 million people)⁶ are reportedly displaced from their homes as of November 13—with some 200,000-250,000 civilians remaining in northern Gaza areas that are particularly vulnerable to conflict and disconnected from limited life-sustaining supplies that are coming in through southern Gaza.⁷

¹ Israeli Ministry of Foreign Affairs, "President Herzog reveals Hamas 'Captive Taking Handbook' in CNN interview," October 15, 2023.

² Center for Strategic and International Studies, "Experts React: Assessing the Israeli Intelligence and Potential Policy Failure," October 25, 2023; Ronen Bergman et al., "How Years of Israeli Failures on Hamas Led to a Devastating Attack," *New York Times*, October 29, 2023.

³ Scott Pelley, "President Joe Biden: The 2023 60 Minutes interview transcript," CBS News, October 15, 2023; White House, "Press Briefing by Press Secretary Karine Jean-Pierre and National Security Advisor Jake Sullivan," October 10, 2023. For more information on Hamas, its possible reasons for the attacks, and Iranian material support for Hamas, see CRS Report R47754, *Israel and Hamas October 2023 Conflict: Frequently Asked Questions (FAQs)*, coordinated by Jim Zanotti, Jeremy M. Sharp, and Christopher M. Blanchard.

⁴ Israel Defense Forces, "IDF Announcement Sent to the Civilians of Gaza City," October 13, 2023.

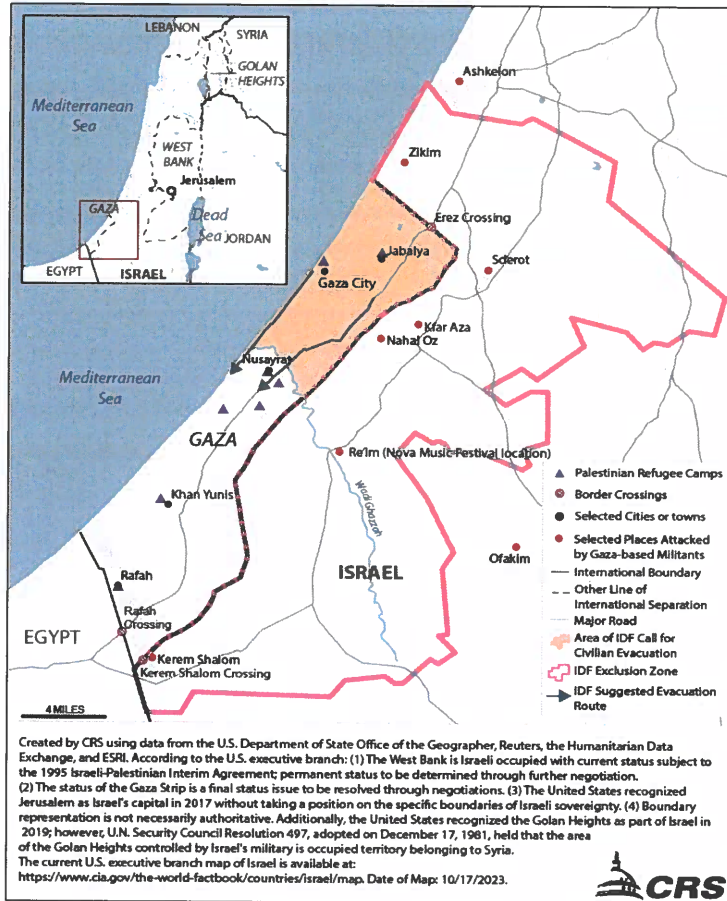
⁵ "Hamas tells Gaza residents to stay home as Israel ground offensive looms," Reuters, October 13, 2023.

⁶ Figures for Gaza's total population per Central Intelligence Agency World Factbook.

⁷ United Nations Office for the Coordination of Humanitarian Affairs, "Hostilities in the Gaza Strip and Israel | Flash (continued...)"

Since November 9, the IDF has instituted daily localized pauses in military operations to facilitate the southward passage of Gazans from the north.

Figure I. Israel and Gaza: Conflict Map



Observers debate how to apportion blame between the militants and Israel for the worsening of already dire humanitarian conditions in Gaza. While those faulting Israel argue that Israeli actions have inflicted casualties and limited life-sustaining supplies, those blaming Hamas assert that Hamas personnel in Gaza and other militants reportedly contribute to making civilian areas and facilities unsafe by operating in or near them. U.N. Secretary-General António Guterres has repeatedly appealed “for the immediate and unconditional release of those civilians held hostage by Hamas,” as well as “for an immediate humanitarian ceasefire.”⁸

Egypt, via consultations with U.S., Israeli, and U.N. officials, is coordinating the use of its Rafah crossing with Gaza to bring international aid into the territory—in a way that allows monitoring to prevent diversion by Hamas—and to permit U.S. citizens and other foreign passport holders safe passage out. After weeks of multi-party negotiations amid critiques by U.S. citizens in Gaza

Update #38,” November 13, 2023; “A perilous journey for countless Palestinians trying to flee danger in northern Gaza,” CBC News, November 10, 2023.

⁸ United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #25,” October 31, 2023.

of the U.S. response,⁹ hundreds of U.S. citizens and family members have left Gaza. The border has reportedly been closed at various times since then.

U.S. and U.N. officials have reportedly sought to increase the provision of international assistance into Gaza via Egypt. U.N. officials have raised public health concerns in connection with poor sanitation and consumption of unsafe water by internally displaced persons (IDPs). Israel is piping water to areas in central and southern Gaza, but supply to northern Gaza remains cut off.¹⁰ Responding to worries voiced by U.N. officials and others regarding fuel shortages for hospitals and other uses, Israeli officials have stated that they have prevented fuel shipments into Gaza because of concerns that Hamas might divert the fuel for its military efforts. Some observers have pointed to evidence that Hamas has hoarded much of the fuel currently inside Gaza.¹¹ In late October, Israel began permitting increased non-fuel humanitarian supplies through Rafah to areas of southern Gaza that can accommodate IDPs.¹²

As of mid-November, significant international attention has focused on the functionality and safety of hospitals in northern Gaza, with Israel and Hamas trading accusations regarding the possible endangerment of civilians by the other, and U.N. officials stating as of November 13 that only one hospital has the resources to receive patients.¹³ National Security Advisor Jake Sullivan has cited open sources in arguing that Hamas uses hospitals for military purposes, but has also said that the United States does not want “firefights in hospitals” that could threaten patients or other bystanders.¹⁴ On November 13, President Biden expressed his hope and expectation that Israel would take “less intrusive action relative to hospitals,”¹⁵ after officials from the World Health Organization and two other U.N. agencies—identifying “perilous” conditions for pediatric care and other services in many hospitals (including Gaza’s largest)—called for “urgent international action to end the ongoing attacks on hospitals in Gaza.”¹⁶ Some Israeli-facilitated evacuation efforts may have taken place, but reports suggest that many patients and staff have been unable to leave.¹⁷ Various countries are reportedly establishing or provisioning field hospitals in southern Gaza, northern Egypt, or on ships offshore.¹⁸

⁹ Nina Kravinsky and Leila Fadel, “Americans in Gaza feel abandoned by their government,” NPR, October 27, 2023; Joanna Slater, “Hundreds of Americans trapped in Gaza with ‘no safe place for us to go,’” *Washington Post*, October 20, 2023.

¹⁰ United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #38,” November 13, 2023.

¹¹ Michelle Nichols, “Israel’s military tells UN in Gaza: ask Hamas for fuel,” Reuters, October 24, 2023; Matthew Rosenberg and Maria Abi-Habib, “As Gazans Scrounge for Food and Water, Hamas Sits on a Rich Trove of Supplies,” *New York Times*, October 27, 2023.

¹² Israel is reportedly inspecting goods at its border with Egypt before allowing the goods to enter Gaza via Rafah. IDF Daily Recap: Hamas - Israel War October 29th, 2023 (19:30) - Day 23. See also “Israel agrees to allow 100 trucks of humanitarian aid into Gaza each day — official,” *Times of Israel*, October 31, 2023.

¹³ United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #38,” November 13, 2023.

¹⁴ “Transcript: National Security Adviser Jake Sullivan on ‘Face the Nation,’ Nov. 12, 2023,” CBS News.

¹⁵ Brett Samuels, “Biden: Hospitals ‘must be protected’ in Gaza as Israeli forces close in,” *The Hill*, November 13, 2023.

¹⁶ World Health Organization, “UNFPA, UNICEF and WHO Regional Directors call for immediate action to halt attacks on health care in Gaza,” November 12, 2023.

¹⁷ Cassandra Vinograd and Hiba Yazbek, “Gaza’s Al-Shifa Hospital Is ‘No Longer Functioning,’ W.H.O. Says,” *New York Times*, November 13, 2023; “Gaza hospitals’ evacuation efforts falter amid heavy fighting,” NBC News, November 13, 2023.

¹⁸ Baruch Yedid, “Arab countries setting up field hospitals for Gazans,” *Jewish News Syndicate*, November 13, 2023.

Reportedly, more than 1,200 Israelis and foreign nationals (including 35 U.S. citizens in Israel) and more than 11,000 Palestinians in Gaza had been killed as of November 12.¹⁹ Hamas and other groups aligned with them could be holding some 239 persons in Gaza that were taken hostage in the October 7 attacks,²⁰ and Secretary Blinken has said that some of the 10 Americans unaccounted for are among those being held hostage.²¹ To date, Hamas has released four hostages, including two Americans, and Israeli forces rescued an Israeli soldier who was being held hostage (another soldier died in captivity). Hamas spokespeople have variously said that Hamas would not release Israeli captives without a cease-fire and/or fuel shipments into Gaza, and that it would release all hostages if Israel released all Palestinian prisoners in its custody. President Biden said on November 14 that he believes a deal to release some hostages—which might be connected with a temporary cease-fire and the release of some Palestinian prisoners—is likely to happen in coming days.²²

For additional background on the conflict, see CRS Report R47754, *Israel and Hamas October 2023 Conflict: Frequently Asked Questions (FAQs)*, coordinated by Jim Zanotti, Jeremy M. Sharp, and Christopher M. Blanchard.

Key Developments

Israel has formed an emergency unity government and “war management cabinet” that includes key opposition figure Benny Gantz (a former defense minister and chief IDF commander) alongside Prime Minister Netanyahu and Defense Minister Yoav Gallant.²³ Netanyahu’s stated objective is “To destroy the military and governmental capabilities of Hamas and bring the hostages home.”²⁴

After nearly three weeks of air strikes, Israel began ground operations inside Gaza in late October. As of November 13, Israeli forces reportedly have encircled Gaza City. Israel seeks to target Hamas’s command structure and vast network of tunnels. Israel has reportedly lost roughly than 365 soldiers since October 7, with at least 46 killed since its ground incursion began. **Hamas** and other Palestinian militants may rely on the tunnels, their knowledge of Gaza’s terrain, and urban warfare tactics to counter Israel’s conventional military superiority.

Since the October 7 attacks, Israel has exchanged fire with the Iran-backed Shia Islamist group **Lebanese Hezbollah** (an FTO) and Palestinian militants across Israel’s northern border with Lebanon. Israel has ordered the evacuation of more than 40 communities in northern Israel. If these clashes escalate, Hezbollah’s arsenal of more than 100,000 missiles and rockets could pose

¹⁹ United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #38,” November 13, 2023; Jim Garamone, “Austin, Blinken Ask for Funds to Defend Embattled Democracies,” DOD News, October 31, 2023. Palestinian casualty figures come from the Hamas-controlled health ministry in Gaza. Additionally, Israel reported that the bodies of around 1,500 dead militants had been found as of October 10 in southern Israeli areas recaptured by its military.

²⁰ United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #38,” November 13, 2023.

²¹ Department of State, “Secretary Antony J. Blinken Remarks to the Press,” October 20, 2023.

²² Barak Ravid, “Biden says he believes deal to free dozens of hostages held in Gaza is ‘going to happen,’” Axios, November 14, 2023.

²³ Barak Ravid, “Israel’s Netanyahu forms unity government with ex-Defense Minister Gantz,” Axios, October 11, 2023; and Jeremy Sharon, “Netanyahu, Gantz agree to form emergency unity government,” *Times of Israel*, October 11, 2023.

²⁴ “Netanyahu says the Gaza war has entered a new stage and will be ‘long and difficult,’” Associated Press, October 28, 2023.

a grave threat to Israeli strategic sites and population centers.²⁵ Israel has also reportedly exchanged some cross-border fire with “pro-Hezbollah fighters” in southern Syria.²⁶

Officials from the **Palestinian Authority/Palestine Liberation Organization (PA/PLO)**, based in the West Bank, appear to be in a difficult position. While they do not endorse Hamas, they likely remain mindful of the sizable population of Palestinians who support confronting Israel.²⁷ Amid rising tensions and violence between Palestinians and Israelis in the West Bank, President Biden has called for attacks by “extremist settlers” against Palestinians to stop.²⁸ During Secretary Blinken’s early November visit to Israel, he said he received and planned to monitor a “clear commitment” from Israel’s government to act against extremist violence in the West Bank.²⁹

As continuing conflict has increased civilian casualties in Gaza, some regional and international actors have grown more publicly critical of Israeli and U.S. policy. **Egypt, Saudi Arabia, Jordan, the United Arab Emirates**, and five additional Arab states jointly insisted on an immediate cease-fire in late October.³⁰ **Qatar** is facilitating indirect talks on hostage-related issues between Israeli and U.S. officials and Hamas. In mid-November, Saudi Arabia hosted a “joint Arab Islamic” summit, where leaders from the Gulf, Iran, Egypt, Jordan, Turkey, and Syria called for an end to “Israeli aggression against Gaza,” more humanitarian aid, and a freeze on international arms exports to Israel.³¹ Although popular sentiment in Arab states has placed pressure on their governments to publicly oppose Israeli actions in Gaza,³² one former U.S. official has said that many Arab leaders have told him that “Hamas must be destroyed in Gaza.”³³ During the previous Israel-Hamas conflicts, which were of smaller scope and intensity, many Arab states also publicly distanced themselves from Israel, only to resume earlier interactions with Israel after the conflict.

At the United Nations, multiple draft U.N. **Security Council** resolutions on the conflict have failed. On October 27, the U.N. **General Assembly** adopted a resolution (opposed by the United States) calling for an “immediate, durable and sustained humanitarian truce leading to a cessation of hostilities,” and for the protection of civilians under international law (including the release of all civilians illegally held captive).³⁴

Some open questions include What would constitute “victory” for Israel in Gaza? What does the future of Gaza look like? What effect might U.S. and international concerns regarding civilian suffering and casualties have on the duration and nature of Israeli military operations? What

²⁵ Adi Hashmonai, “Israel Plans to Evacuate Communities Close to Border with Lebanon, Many Refuse to Leave,” *Haaretz*, October 17, 2023.

²⁶ “Israel strikes kill 8 Syria troops, hit Aleppo airport: defence ministry,” Agence France Presse, October 25, 2023.

²⁷ Mohammad al-Kassim, “PA President Mahmoud Abbas MIA as Hamas wages war against Israel,” *ynetnews*, October 10, 2023.

²⁸ White House, “Remarks by President Biden and Prime Minister Anthony Albanese of Australia in Joint Press Conference,” October 25, 2023.

²⁹ Department of State, “Secretary Antony J. Blinken at a Press Availability,” Tel Aviv, Israel, November 3, 2023.

³⁰ Qatar Ministry of Foreign Affairs, “Qatar and a Number of Arab Countries Issue Joint Statement Following Cairo Peace Summit,” October 26, 2023.

³¹ “Arab-Islamic summit adopts resolution on Israeli aggression against the Palestinian people,” *Arab News*, November 12, 2023.

³² International Crisis Group, “The Gaza War Reverberates Across the Middle East,” November 4, 2023.

³³ Dennis Ross, “I Might Have Once Favored a Cease-Fire with Hamas, but Not Now,” *New York Times*, October 27, 2023.

³⁴ Resolution available at <https://documents-dds-ny.un.org/doc/UNDOC/LTD/N23/319/20/PDF/N2331920.pdf?OpenElement>.

might be the longer-term ramifications for U.S. priorities such as Israel's security, countering the reach of Iran and its allies, and avoiding major war or humanitarian disaster? Under what circumstances and to what end might U.S.-backed diplomacy resume between Israel, Palestinians, and Arab states?

U.S. Policy

Israeli Military Operations and Pauses

The U.S. government has stated its support for military operations by Israel to defend itself in line with international law, including in Gaza. U.S. officials have publicly disagreed with calls for a cease-fire, citing Israel's right to defend itself. Nevertheless, U.S. officials have voiced support for "humanitarian pauses"—possibly more limited in time and geographical scope—that might safely facilitate aid delivery or serve other purposes.

President Biden, Secretary of State Blinken, Secretary of Defense Lloyd Austin, and several other Administration officials have visited Israel and other countries in the region since the outbreak of conflict. On November 3, during Secretary Blinken's latest trip to Israel, he reiterated the U.S. view that Israel has the right and obligation to defend itself to prevent a recurrence of attacks on the level of October 7, while remarking that "the way Israel does so matters."³⁵ A week later, Blinken said, "Far too many Palestinians have been killed.... We want to do everything possible to prevent harm to them and to maximize the assistance that gets to them.... To that end, we'll be continuing to discuss with Israel the concrete steps to be taken to advance these objectives."³⁶

According to some reports, U.S. officials have privately expressed to Israeli counterparts that they may have limited time for operations to root out Hamas in Gaza before international uproar over civilian suffering and calls for a cease-fire reach "a tipping point."³⁷ Apparently, U.S. officials have advised Israelis that some measures might reduce civilian casualties, including improvements in targeting and advance intelligence gathering, efforts to separate civilians from militants, and the use of smaller bombs.³⁸ On November 9, General Charles Q. Brown, Chairman of the Joint Chiefs of Staff, said that Israel's aim to eliminate Hamas was "a pretty large order," saying that, "I think the longer this goes, the harder it can become."³⁹

Prime Minister Netanyahu has accepted daily four-hour pauses to the fighting for humanitarian purposes, but has refused the idea of a longer halt to Israel's military operations without the release of Israeli hostages.⁴⁰ He has argued that "the only thing that works on ... Hamas is the military pressure that we're exerting."⁴¹

Potential Post-Conflict Scenarios

In addition to reportedly advising Israel on how it conducts military operations, U.S. officials have engaged in diplomatic talks with Israel and other regional partners over the future

³⁵ Department of State, "Secretary Antony J. Blinken at a Press Availability," Tel Aviv, Israel, November 3, 2023.

³⁶ Department of State, "Secretary Antony J. Blinken Remarks to the Press," New Delhi, India, November 10, 2023.

³⁷ "US warns Israel amid Gaza carnage it doesn't have long before support erodes," CNN, November 3, 2023.

³⁸ Adam Entous et al., "U.S. Is Urging Israel to Limit Gaza Fatalities," *New York Times*, November 5, 2023.

³⁹ "Top US general cautions over risks in a long Gaza war," Reuters, November 9, 2023.

⁴⁰ "Meet the Press - November 12, 2023," NBC News.

⁴¹ Alexandra Hutzler, "Netanyahu to ABC's Muir: 'No cease-fire' without release of hostages," ABC News, November 6, 2023.

governance of Gaza. In an October 15 interview, President Biden expressed support for Israeli efforts to eliminate Hamas—calling it a “group of people who have engaged in barbarism that is as consequential as the Holocaust.” When asked in the same interview if he would “support Israeli occupation of Gaza at this point,” President Biden said, “I think it’d be a big mistake.” Later in the interview, he said that “the extreme elements of Hamas don’t represent all the Palestinian people,” and that “there needs to be a Palestinian authority. There needs to be a path to a Palestinian state.”⁴² In October 31 congressional testimony, Secretary Blinken said that “what would make the most sense would be for an effective and revitalized Palestinian Authority to have governance, and ultimately, security responsibility for Gaza,” but that if doing so “in one step” cannot happen, “other, temporary arrangements” could involve other regional countries and/or international agencies.⁴³ Arab government leaders reportedly are resisting U.S. suggestions that they play a larger role—expressing that they believe Gaza to be “a problem largely of Israel’s own making.”⁴⁴

While discussing potential post-conflict scenarios with Blinken in the West Bank on November 5, PA President Mahmoud Abbas stated the PA’s willingness to “fully assume our responsibilities within the framework of a comprehensive political solution that includes all of the West Bank, including East Jerusalem, and the Gaza Strip.”⁴⁵ In 2005, Israel withdrew its military presence from Gaza and ceded control to the PA. Two years later in 2007, the PA lost its hold on the territory in an armed struggle with Hamas, which was founded in Gaza in the 1980s and has maintained a considerable base of support there since. Some analysts have questioned whether the PA could (or would) assume control of Gaza as a result of Israeli military action: one has argued that being seen “as the agent of Israeli invasion and U.S. complicity—which is how most Palestinians would see it—might be close to suicidal.”⁴⁶

Prime Minister Netanyahu has said, “I think Israel will, for an indefinite period will have the overall security responsibility because we’ve seen what happens when we don’t have it.”⁴⁷ Netanyahu also has voiced skepticism about the PA’s ability to de-militarize and de-radicalize Gaza, calling for some other “reconstructed civilian authority.”⁴⁸ Some Israelis, including opposition leader Yair Lapid, argue that the PA should return to Gaza,⁴⁹ with some asserting that Netanyahu’s stance reflects ideological opposition to a two-state solution.⁵⁰ Additionally, the resolution from the November “Arab Islamic” summit emphasized that the PLO (under whose umbrella the PA exists) is the sole legitimate representative of the Palestinian people, and that Palestinian-inhabited territories “occupied since 1967” constitute a sole geographical unit.⁵¹ The

⁴² Scott Pelley, “President Joe Biden: The 2023 60 Minutes interview transcript.”

⁴³ Senate Appropriations Committee testimony available at <https://www.cq.com/doc/congressionaltranscripts-7867772?3>.

⁴⁴ Matthew Lee, “Arab leaders push for an Israel-Hamas cease-fire now,” November 4, 2023.

⁴⁵ “Receiving US State Secretary, President Abbas demands immediate end to Israel’s aggression on Gaza,” Wafa News Agency, November 5, 2023.

⁴⁶ Nathan J. Brown, “There Might Be No Day After in Gaza,” Carnegie Endowment for International Peace, November 3, 2023.

⁴⁷ Hutzler, “Netanyahu to ABC’s Muir: ‘No cease-fire’ without release of hostages.”

⁴⁸ Transcript, “State of the Union,” CNN, November 12, 2023.

⁴⁹ Anat Peled et al., “Israel, U.S. Split on Gaza Plan,” *Wall Street Journal*, November 13, 2023.

⁵⁰ Zvi Bar’el, “Netanyahu Refuses to Admit That the Palestinian Authority Is the Only Option for Governing Gaza,” *Haaretz*, November 13, 2023.

⁵¹ “Arab-Islamic summit adopts resolution on Israeli aggression against the Palestinian people,” *Arab News*, November 12, 2023.

spokesperson for PA President Abbas has insisted that Israeli attempts to separate Gaza from the West Bank are destined to fail.⁵²

Questions may persist about the credibility of any post-conflict outcome that does not provide some basic form of (1) order and security, (2) Palestinian autonomy (connected to aspirations for statehood), (3) and Israeli capacity to monitor and prevent the rise of new threats. Given potential tensions among these three points, it is unclear whether or not a multilateral coalition with an international mandate can facilitate an outcome addressing each one. It is also unclear whether or not such an outcome can occur without some continuity in personnel who have run key civil services under Hamas rule.

U.S. Military Deployments

Since October 7, President Biden has positioned additional U.S. military assets and personnel to the Middle East in an apparent effort to bolster Israel's defense, deter Iran and Iranian-supported groups from widening the war, support select Arab partners, and prepare for contingencies, such as an evacuation of U.S. citizens in Israel and Gaza.

Navy and Marine Corps Forces. The United States has repositioned the USS *Gerald R. Ford* carrier strike group, which was already in the Mediterranean, to the Eastern Mediterranean, and directed the USS *Dwight D. Eisenhower* carrier strike group to the Persian Gulf via the Mediterranean. Each strike group includes an aircraft carrier with an embarked carrier air wing, along with one cruiser and three destroyers. Each carrier air wing includes about 40 F/A-18 strike fighters and about 20 other support aircraft. Some of the cruisers and destroyers are additionally capable of conducting theater-range ballistic missile defense operations.

The United States has repositioned the USS *Bataan* Amphibious Ready Group (ARG) from the Persian Gulf to the Red Sea. The ARG consists of three amphibious assault ships—the “large deck” amphibious assault ship USS *Bataan*, which looks like a medium-sized aircraft carrier, and two additional amphibious ships, USS *Mesa Verde* and USS *Carter Hall*. Stationed aboard the three ships is the 26th Marine Expeditionary Unit (MEU) with approximately 2,400 Marines.

Air Force Aircraft. The United States has also sent additional F-35, F-15, and F-16 fighter aircraft, and A-10 attack aircraft to the Middle East region.

Army Air and Missile Defense Units. To enhance the air defense capabilities of Arab partners in the U.S. Central Command (CENTCOM) area of responsibility, the United States has dispatched a Terminal High-Altitude Area Defense (THAAD) missile defense system to Saudi Arabia, and Patriot air and missile systems to Kuwait, Jordan, Iraq, Qatar, and the United Arab Emirates.

U.S. Advisors. The United States has sent to Israel several U.S. officers with expertise in combatting terrorist groups in urban environments gained from U.S. operations in Iraq and Syria to offer “advice to our Israeli partners on best practices for mitigating civilian harm.”⁵³

U.S. Military Response to Iranian-Supported Groups

Iranian officials have threatened to become involved in response to the Israeli operation in Gaza, with the foreign minister reportedly stating in mid-October that Iran “cannot remain a spectator”

⁵² “Presidency: Israel's attempts to separate Gaza from West Bank are destined to failure,” Wafa News Agency, November 12, 2023.

⁵³ U.S. Department of Defense, “Senior Defense Official, Senior Military Official Hold a Background Briefing on Israel,” October 23, 2023.

to such operations.⁵⁴ In late October, however, he said, “We don’t want this war to spread out.”⁵⁵ Iran supports several proxy non-state actors across the Middle East, and armed groups in Iraq and Yemen have expressed support for the Hamas attacks on Israel and pledged support to Palestinians. Beyond Gaza and the West Bank, to date, some attacks against Israel have emanated from Lebanon, Syria, and Yemen, while Iran-supported groups in Iraq and Syria have repeatedly targeted U.S. forces stationed there. U.S. defense officials have stated that at least 45 Americans are reporting minor injuries or potential traumatic brain injuries from Iran-supported attacks against U.S. forces.⁵⁶

On October 25, President Biden warned Iran not to threaten U.S. forces, saying, “My warning to the Ayatollah was that if they continue to move against those troops, we will respond. And he should be prepared.”⁵⁷ On three occasions, the United States has conducted air strikes against facilities in eastern Syria used by Iran and its allies.⁵⁸ In the Red Sea, the U.S. Navy has intercepted Houthi missiles from Yemen heading toward Israel, while the Houthis reportedly have shot down a U.S. MQ-9 Reaper unmanned aerial vehicle.⁵⁹

U.S. Expedited Arms Deliveries to Israel

Since October 7, the Biden Administration has expedited the provision of U.S. military and security assistance to Israel, including: (1) small-diameter bombs (250 pounds); (2) interceptors to replenish Israel’s Iron Dome (a U.S.-supported short-range anti-rocket, anti-mortar, and anti-artillery system); (3) Joint Direct Attack Munitions (JDAMs - a kit that converts unguided armaments into satellite-guided bombs),⁶⁰ and (4) 155mm artillery shells.⁶¹ The Administration also is to provide Israel with two Iron Dome batteries previously purchased by the U.S. Army.

Humanitarian Assistance for Palestinians

During President Biden’s October 18 visit to Israel, he announced \$100 million in U.S. humanitarian assistance for Gaza and the West Bank, to “help support over a million displaced and conflict-affected people with clean water, food, hygiene support, medical care, and other essential needs” via “trusted partners including UN agencies and international NGOs.”⁶² Some lawmakers have sponsored legislation or written letters calling for a halt to humanitarian aid in Gaza and/or greater monitoring of whether or not any U.S. assistance to Gaza and the West Bank

⁵⁴ “Iran warns it may not ‘remain a spectator in Israel-Hamas conflict – as U.S. urges Iran not to intervene,” *Forbes*, October 15, 2023.

⁵⁵ “Iran does not want Israel-Hamas conflict to spread, foreign minister says,” Reuters, October 29, 2023.

⁵⁶ Courtney Kube, “At least 45 U.S. service members may have been injured in Iran-linked attacks,” NBC News, November 6, 2023.

⁵⁷ White House, “Remarks by President Biden and Prime Minister Anthony Albanese of Australia in Joint Press Conference,” October 25, 2023.

⁵⁸ “US conducts airstrikes against Iran-backed groups in Syria, retaliating for attacks on US troops,” Associated Press, November 13, 2023.

⁵⁹ Eric Schmitt, “Houthi Rebels Shot Down a U.S. Drone Off Yemen’s Coast, Pentagon Says,” *New York Times*, November 8, 2023.

⁶⁰ “The US is moving quickly to boost Israel’s military. A look at what assistance it’s providing,” Associated Press, October 14, 2023.

⁶¹ Reportedly, the Administration has decided to redirect these shipments, which had been taken from the U.S. stockpile in Israel (WRSA-I) to provide to Ukraine, back to Israel for their use. See Barak Ravid, “Scoop: U.S. to send Israel artillery shells initially destined for Ukraine,” *Axios*, October 19, 2023.

⁶² White House, “U.S. Announcement of Humanitarian Assistance to the Palestinian People,” October 18, 2023.

may previously have been diverted—or be at risk of future diversion—by Hamas, other FTOs, or their affiliates.⁶³ Others have called for additional humanitarian aid for the Palestinians.⁶⁴

President’s Budget Request to Congress and Proposed Legislation

In an October 19 Oval Office speech, President Biden announced an emergency supplemental budget request to support U.S. partners, including Ukraine, Israel, and Taiwan, and address other domestic and global issues.⁶⁵ In sum, the President seeks over **\$14 billion** in Israel-related funding, of which **\$8.7 billion** would be for direct aid for Israel, including: (1) **\$4 billion** in DOD funding for Iron Dome and David’s Sling defense systems; (2) **\$3.5 billion** in Foreign Military Financing (FMF), all of which may be made available for Israel to spend in-country in local currency (known as off-shore procurement); and (3) **\$1.2 billion** in DOD funding for the Iron Beam laser-based defense system being developed by Israel.

In addition, the President has requested **\$5.4 billion** for DOD’s response to the Israel-Hamas war in Gaza and related expenses, including: (1) **\$4.4 billion** that could be transferred among several defense appropriations accounts for various purposes (including the replenishment of U.S. defense equipment, reimbursement of DOD for defense services provided to Israel; expansion of munitions production; and production of unspecified critical defense articles); (2) **\$801.4 million** for ammunition procurement; and (3) **\$198.6 million** “to mitigate industrial base constraints” through Defense Production Act purchases.

To allow for the obligation of requested funds for these intended purposes, the supplemental request also includes proposed provisions that would amend several existing laws. The request would amend the Department of Defense Appropriations Act, 2005 (P.L. 108-287, §12001) to permit the transfer of previously prohibited categories of defense articles to the Government of Israel, and temporarily waive limitations on the total value of defense stockpiles located in Israel and set aside for Israel’s use per 22 U.S.C. §2321h(b). The request also contains a provision that would authorize the Secretary of Defense to provide fewer than 30 days’ notice to Congress when transferring defense articles to Israel in extraordinary circumstances.

The request includes over **\$9 billion** in funding via global humanitarian accounts that could be partly allocated to address the needs of those affected by the crisis in Gaza and Israel (including in neighboring countries): **\$5.65 billion** in International Disaster Assistance (IDA) and **\$3.495 billion** in Migration and Refugee Assistance (MRA).

On November 2, the House passed H.R. 6126, the Israel Security Supplemental Appropriations Act, 2024, (226-196). The bill would provide \$14.3 billion in related supplemental appropriations for Israel. While the bill closely follows the President’s request for Israel, it adds, among other provisions, a reporting requirement describing all security assistance provided to Israel since the October 7 attacks; raises the cap on presidential drawdown authority (PDA) to \$2.5 billion for FY2024; and requires a report to Congress on all uses of FY2024 PDA. The bill also would offset the proposed additional appropriations for Israel by rescinding \$14.3 billion for the Internal

⁶³ Text of October 24 letter from 24 Representatives to U.S. Agency for International Development Director Samantha Power available at <https://www.documentcloud.org/documents/24080806-23-10-23-letter-to-usaid-re-gaza-west-bank-funding-copy>. Lawmakers in both chambers have introduced bills during the 118th Congress that would prohibit any U.S. funding for Palestinians in Gaza absent a presidential certification that (among other things) the assistance would not benefit Hamas or other terrorist organizations or affiliates. Senate version: S. 489; House version: H.R. 5996.

⁶⁴ Text of November 8 letter from 26 Senators to President Biden available at https://www.vanhollen.senate.gov/imo/media/doc/letter_to_president_biden_on_gaza.pdf.

⁶⁵ The request is available at <https://www.whitehouse.gov/wp-content/uploads/2023/10/Letter-regarding-critical-national-security-funding-needs-for-FY-2024.pdf>.

Revenue Service. The bill does not include appropriations for Ukraine or for humanitarian assistance.

Possible Options for Congress

Congress may consider an array of legislative or oversight options related to the ongoing conflict, amid rapidly evolving developments and broader regional and U.S. foreign policy considerations. Select options and considerations are discussed below, and some others (such as sanctions on Iran, Hamas, or related actors; or the authorization of U.S. military force) are discussed in CRS Report R47754, *Israel and Hamas October 2023 Conflict: Frequently Asked Questions (FAQs)*, coordinated by Jim Zanotti, Jeremy M. Sharp, and Christopher M. Blanchard.

Additional U.S. Assistance for Israel

Lawmakers may consider whether to increase, maintain, or condition existing U.S. support for Israel. Relevant types of U.S. assistance may include (1) missile defense funding; (2) Foreign Military Financing (FMF); (3) Presidential Drawdown Authority (PDA); (4) War Reserve Stocks for Allies-Israel (WRS-AI); and (5) emergency arms sales.⁶⁶

Humanitarian Assistance for Palestinians and Israel

As mentioned above, the President's October supplemental budget request includes more than **\$9 billion** in humanitarian assistance potentially usable for needs in and around Gaza, the West Bank, and Israel from the MRA and IDA accounts. In a separate October request, the President asked for **\$1.05 billion** in "Food for Peace" grants for global emergency food needs via the Department of Agriculture.⁶⁷

Members of Congress are debating the scope and conditions under which current or proposed humanitarian assistance should be appropriated or allocated. Some strongly support boosting humanitarian aid for Palestinians and facilitating its provision,⁶⁸ while others have expressed concerns that Hamas or other militants could divert aid shipments for their own use.⁶⁹

End-Use Monitoring of U.S. Defense Articles

Congress may examine and debate end-use monitoring (EUM) requirements for U.S. defense articles in the context of the conflict. U.S. aid and arms sales—including to Israel—are subject to laws such as the AECA and Foreign Assistance Act (FAA). The AECA requires the Departments of State and Defense to conduct EUM to ensure that recipients of U.S. defense articles use such

⁶⁶ For more information on U.S. aid to Israel, see CRS Report RL33222, *U.S. Foreign Aid to Israel*, by Jeremy M. Sharp.

⁶⁷ See <https://www.whitehouse.gov/wp-content/uploads/2023/10/Summary-of-Funding-Request-to-Meet-Critical-Needs.pdf>.

⁶⁸ See text of October 18 letter from 33 Senators to Secretary Blinken at https://www.murphy.senate.gov/imo/media/doc/un_humanitarian_appeal.pdf; and text of October 20 letter from 130 Representatives to President Biden at https://connolly.house.gov/uploadedfiles/letter_to_president_biden_on_israel.pdf.

⁶⁹ Jeff Stein and Jacob Bogage, "GOP targets Gaza's biggest relief group, clashing with the White House," *Washington Post*, November 11, 2023; Marc Rod, "Republicans signal concerns about aid to Palestinians, Ukraine in Israel funding request," *Jewish Insider*, October 23, 2023.

items solely for their intended purposes.⁷⁰ In addition, in summer 2023, the Department of State announced the formation of the Civilian Harm Incident Response Guidance (CHIRG), a process whereby U.S. officials will “investigate reports of civilian harm by partner governments suspected of using U.S. weapons and recommend actions that could include suspension of arms sales.”⁷¹

Since the start of the conflict, some people have criticized Israel for civilian casualties and accused it of possible misuse of U.S. defense equipment. In November 8 congressional testimony, Deputy Assistant Secretary of Defense Dana Stroul remarked that “in our conversations with the Israel Defense Forces, they have made very clear that they assess collateral damage estimates before they take strikes. They have legal reviews, through their chain of command, and when there are incidents of civilian harm, they investigate them after.”⁷² Regarding U.S. defense consultation with Israel on mitigating civilian harm, National Security Council spokesperson John Kirby has said, “We’re not sitting down next to them as they develop the target lists.... This is their fight.”⁷³ Previously, DOD spokesperson Sabrina Singh said, “Of course, we monitor and we keep track of the assistance that we’re providing. But once it is in the hands of ... the Israelis on how they want to use, it’s – it’s really their decision.... So how the Israelis choose to use the supplies capabilities that we give them is really not up to us.”⁷⁴

Calls for a Cease-Fire, Pauses, and/or Respect for International Law

Members of Congress are debating whether or not to call for a cease-fire or humanitarian pause to the conflict and whether or not to examine the applicability of international law to the conflict. One letter urged a humanitarian pause and for Israel to conduct military operations within the scope of international law while supporting its right to defend itself.⁷⁵ On November 2, Senator Richard Durbin called for a cease-fire in the Israel-Hamas war, but stipulated that it must start with the release of all hostages. Other Members have supported Israel’s continuing military operations unequivocally. Speaker of the House Mike Johnson, for example, has stated, “There will be a ceasefire when Hamas ceases to be a threat to Israel.”⁷⁶ Some others have written a letter to the Administration urging U.S. officials to, among other things, advise Israel to abide by international law in its actions, including with respect to the protection of civilians.⁷⁷

⁷⁰ CRS In Focus IF11197, *U.S. Arms Sales and Human Rights: Legislative Basis and Frequently Asked Questions*, by Paul K. Kerr and Michael A. Weber; CRS Report R46814, *The U.S. Export Control System and the Export Control Reform Act of 2018*, by Paul K. Kerr and Christopher A. Casey.

⁷¹ Missy Ryan, “Biden administration will track civilian deaths from U.S.-supplied arms,” *Washington Post*, September 13, 2023.

⁷² House Foreign Affairs Committee testimony available at <https://plus.cq.com/doc/congressionaltranscripts-7877975?4>.

⁷³ David E. Sanger, “Biden Confronts the Limits of U.S. Leverage in Two Conflicts,” *New York Times*, November 6, 2023.

⁷⁴ Department of Defense, “Press Gaggle with Sabrina Singh, Deputy Pentagon Press Secretary,” October 16, 2023.

⁷⁵ Text of November 3 letter from 58 Members to Secretary Blinken available at <https://twitter.com/AndrewSolender/status/1720582253816791248/photo/1>.

⁷⁶ “House Speaker Mike Johnson Tells GOP Jewish Confab: ‘God Is Not Done with Israel,’” *Haaretz*, October 29, 2023.

⁷⁷ Text of October 13 letter from 55 Representatives to President Biden and Secretary Blinken available at <https://jayapal.house.gov/wp-content/uploads/2023/10/Letter-Expressing-Concern-on-the-Humanitarian-Situation-in-Gaza.pdf>.

Author Information

Jim Zanotti
Specialist in Middle Eastern Affairs

Jeremy M. Sharp
Specialist in Middle Eastern Affairs

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