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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 7, 2023

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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 some 240-250 hostages (including some Americans) taken during the Hamas-led assault, undertaken an aerial bombardment campaign, and launched ground operations against Hamas in Gaza. Israel's government has almost completely halted the supply of electricity, food, water, and fuel to Gaza, which before the conflict 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 6, Israeli forces have reportedly encircled Gaza City, where they apparently seek to target key nodes of Hamas's command structure and vast network of tunnels.

The United Nations has stated that Gaza, with an estimated 1.5 million Gazans (nearly three-fourths of the territory's approximately 2.1 million people) displaced and major shortages in life-sustaining supplies, constitutes a major humanitarian crisis. U.S. officials have worked with Israel, Egypt, and the United Nations to allow for some international humanitarian assistance to enter Gaza from Egypt. The U.N. Secretary-General has repeatedly called for a humanitarian ceasefire.

Biden Administration officials have stated that Israel has the right and obligation to defend itself, and have resisted calls from other regional and 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." U.S. leaders have supported the idea of humanitarian pauses—possibly limited in time and geographical scope—to safely facilitate the delivery of life-sustaining aid and perhaps help facilitate hostage release efforts. However, to date Israel has refused any "temporary ceasefire that does not involve the release of the kidnapped Israelis."

Reportedly, more than 1,400 Israelis (and at least 36 U.S. citizens) and more than 10,000 Palestinians in Gaza have been killed as of November 6. Some U.S. citizens reportedly remain in Gaza, though some 300 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.

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 reported 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.

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 may consider whether or not to provide additional military assistance to Israel or humanitarian assistance for Palestinians and Israelis, perhaps partly based on whether the Biden Administration and Congress can ensure that any assistance would not be used beyond its intended purposes. Congress also may weigh other legislative and oversight options.

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.

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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

### Possible Iranian Role in Hamas Attacks

The possible role of Iran in the planning, support, or execution of the Hamas attacks is a question of keen interest to many Members of Congress. National Security Advisor Jake Sullivan has described Iran as “complicit in this attack in a broad sense,” given the level of support it has provided Hamas for years.<sup>1</sup> President Joe Biden said on October 15, “did they [Iran] have foreknowledge; did they help plan the attack ...there’s no evidence of that at this point.”<sup>2</sup>

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.<sup>3</sup> The apparent intelligence and operational failures

in preventing the assault or limiting its impact have become a subject of analysis for Israeli and U.S. officials. Some analysts have said that Israel may have missed signals, over-relied on technological solutions, and/or misread Hamas’s intentions, among other factors.<sup>4</sup>

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

<sup>1</sup> 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.

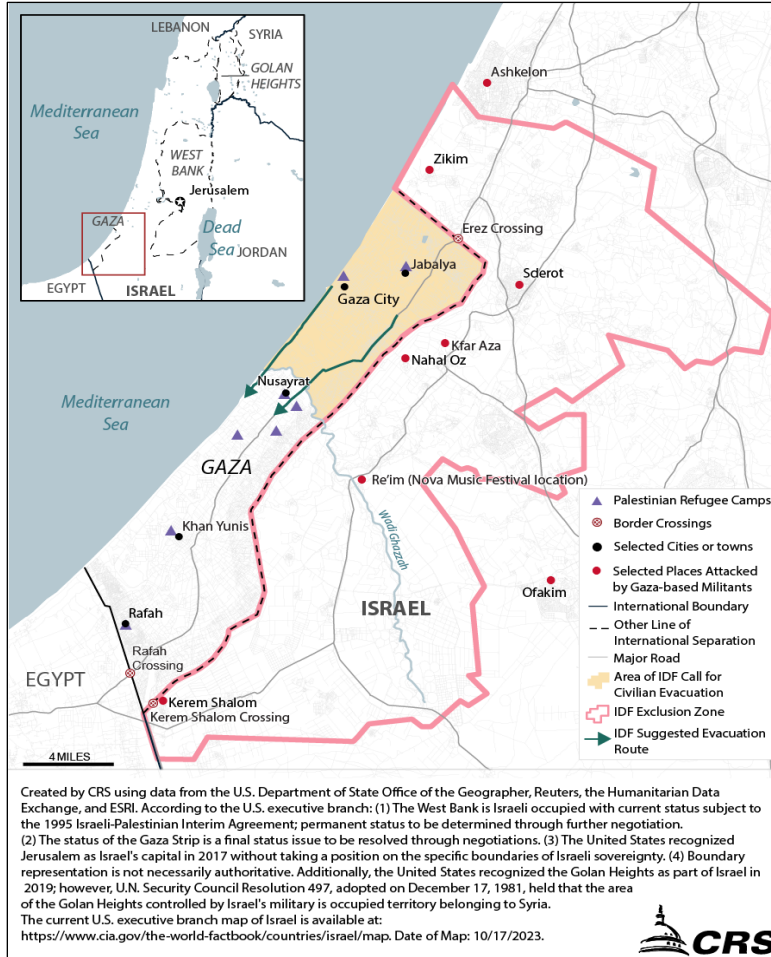
<sup>2</sup> Scott Pelley, “President Joe Biden: The 2023 60 Minutes interview transcript,” CBS News, October 15, 2023. One article has highlighted conflicting accounts about whether and to what extent Iran was directly involved in the October 7 attacks. Summer Said et al., “Hamas Fighters Had Trained in Iran Before Israel Attack,” *Wall Street Journal*, October 26, 2023.

<sup>3</sup> Israeli Ministry of Foreign Affairs, “President Herzog reveals Hamas ‘Captive Taking Handbook’ in CNN interview,” October 15, 2023.

<sup>4</sup> 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.

protection.”<sup>5</sup> Hamas reportedly called on people in these areas to remain in place.<sup>6</sup> U.N. officials have expressed concern about potentially grave humanitarian consequences from widespread evacuation, and Israel has reportedly conducted some air strikes in southern Gaza areas. An estimated 1.5 million Gazans (nearly three-fourths of the territory’s approximately 2.1 million people)<sup>7</sup> are displaced from their homes as of November 6—with roughly 300,000 internally displaced persons (IDPs) in northern Gaza areas that are particularly vulnerable to conflict and disconnected from limited life-sustaining supplies that are coming in through southern Gaza.<sup>8</sup>

**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

<sup>5</sup> Israel Defense Forces, “IDF Announcement Sent to the Civilians of Gaza City,” October 13, 2023. Passages from the announcement include, “The IDF calls for the evacuation of all civilians of Gaza City from their homes southwards for their own safety and protection and move to the area south of the Wadi Gaza,” and “Civilians of Gaza City, evacuate south for your own safety and the safety of your families and distance yourself from Hamas terrorists who are using you as human shields.”

<sup>6</sup> “Hamas tells Gaza residents to stay home as Israel ground offensive looms,” Reuters, October 13, 2023.

<sup>7</sup> Per Central Intelligence Agency World Factbook figures.

<sup>8</sup> United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #31,” November 6, 2023; Jaclyn Diaz et al., “Many Gazans remain trapped in the north, despite evacuation window,” NPR, November 4, 2023.

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.

According to Secretary of State Antony Blinken, after the outbreak of conflict, about 400 U.S. citizens and 600 of their family members have sought to leave Gaza.<sup>9</sup> Egypt, via consultations with U.S., Israeli, and U.N. officials, has publicly agreed to the use of its Rafah crossing with Gaza to open a humanitarian corridor for international aid into the territory, and to allow U.S. citizens and some 7,500 other foreign passport holders safe passage out. After weeks of multi-party negotiations amid critiques by U.S. citizens in Gaza of the U.S. response,<sup>10</sup> hundreds of U.S. citizens and family members have left Gaza. Beginning on November 1, some foreign nationals and some injured Palestinians were allowed to exit Gaza through the Rafah crossing. As of November 5, a U.S. official said that “we have been able to get out more than 300 Americans, lawful permanent residents and their family members,” and that efforts were ongoing to assist additional U.S. citizens trying to leave.<sup>11</sup> According to U.N. officials, the border has been closed at various points in early November.<sup>12</sup>

U.N. Secretary-General António Guterres said on October 31 that the “level of humanitarian assistance that has been allowed into Gaza up to this point is completely inadequate and not commensurate with the needs of people in Gaza, compounding the humanitarian tragedy.” He also reiterated his previous appeals “for the immediate and unconditional release of those civilians held hostage by Hamas,” as well as “for an immediate humanitarian ceasefire.”<sup>13</sup>

U.S. officials have reportedly sought to facilitate the provision of international assistance for Gazans via the Rafah crossing in a way that can be monitored to prevent diversion by Hamas. Additionally, on October 18, President Biden announced a \$100 million U.S. humanitarian assistance contribution for Gaza and the West Bank.<sup>14</sup> U.N. officials have said that assistance levels to date address only a small fraction of the needs of Gaza’s population, and have raised public health concerns in connection with poor sanitation and consumption of unsafe water by IDPs. Israel is piping water to areas in central and southern Gaza, but supply to northern Gaza remains cut off.<sup>15</sup> Israeli officials have stated that they have prevented humanitarian 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.<sup>16</sup> U.N. officials say that they need some level of fuel to conduct civilian relief efforts. Israeli officials have claimed that Hamas could provide life-sustaining supplies to

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<sup>9</sup> Secretary Blinken’s October 31, 2023 testimony before the Senate Appropriations Committee, available at <https://www.cq.com/doc/congressionaltranscripts-7867772?3>.

<sup>10</sup> 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.

<sup>11</sup> “Transcript: Jon Finer, Deputy National Security Adviser, on ‘Face the Nation,’ Nov. 5, 2023,” CBS News.

<sup>12</sup> United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #31,” November 6, 2023.

<sup>13</sup> United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #25,” October 31, 2023.

<sup>14</sup> White House, “U.S. Announcement of Humanitarian Assistance to the Palestinian People,” October 18, 2023; Brett Samuels, “Biden announces humanitarian aid deal for Gaza,” *The Hill*, October 18, 2023.

<sup>15</sup> United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #31,” November 6, 2023.

<sup>16</sup> 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.

civilians,<sup>17</sup> and announced plans on October 29 to permit significantly increased non-fuel humanitarian supplies through Rafah to areas of southern Gaza that can accommodate IDPs.<sup>18</sup>

Reportedly, more than 1,400 Israelis (and at least 36 U.S. citizens in Israel) and more than 10,000 Palestinians in Gaza had been killed as of November 6.<sup>19</sup> Hamas and other militants aligned with them could be holding some 240 to 250 persons in Gaza that were taken hostage in the October 7 attacks,<sup>20</sup> and Secretary Blinken has said that some of the 10 Americans unaccounted for are among those being held hostage.<sup>21</sup> A Hamas spokesman has said that the group “is prepared to release non-Israeli hostages once conditions allow movement in Gaza.”<sup>22</sup> To date, Hamas has released four hostages, including two Americans. 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. On October 30, Israeli forces in Gaza rescued an Israeli soldier who was being held hostage.

## 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.<sup>23</sup> Netanyahu’s stated objective is “To destroy the military and governmental capabilities of Hamas and bring the hostages home.”<sup>24</sup>

After nearly three weeks of air strikes, Israel began ground operations inside Gaza in late October. As of November 6, Israeli forces reportedly have encircled Gaza City, where they apparently seek to target key nodes of Hamas’s command structure and vast network of tunnels. Israel has reportedly lost approximately 345 soldiers since October 7, with 33 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

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<sup>17</sup> Stephen Kalin, “Israel Says Gaza Has Enough Food, Water, Fuel, Medical Supplies,” *Wall Street Journal*, October 29, 2023.

<sup>18</sup> 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.

<sup>19</sup> United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #31,” November 6, 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.

<sup>20</sup> United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #25,” October 31, 2023; Hamas spokesman Abu Ubaida quoted in Harriet Sherwood, “Hamas says 250 people held hostage in Gaza,” *The Guardian*, October 16, 2023.

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

<sup>22</sup> “Hamas says it is preparing to release non-Israeli hostages,” NBC News, October 16, 2023.

<sup>23</sup> 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.

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



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

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.<sup>27</sup> 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.<sup>28</sup> 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.<sup>29</sup>

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, and the United Arab Emirates** have jointly insisted on an immediate cease-fire.<sup>30</sup> **Qatar** is facilitating indirect talks on hostage-related issues between Israeli and U.S. officials and Hamas. On November 4 while visiting Jordan, Secretary Blinken met counterparts from these countries and the PA. While acknowledging common interests about protecting civilians and increasing aid flows to Gaza, Blinken differed with his interlocutors on the issue of a cease-fire.<sup>31</sup> Although popular sentiment in these Arab states has placed pressure on their governments to publicly oppose Israeli actions in Gaza,<sup>32</sup> one former U.S. official has said that many Arab leaders have told him that "Hamas must be destroyed in Gaza."<sup>33</sup> During previous Israel-Hamas conflicts, many Arab states also publicly distanced themselves from Israel, only to resume earlier interactions with Israel after the conflict. It is unclear whether the seemingly broader scope and intensity of this conflict could lead to more lasting changes in Israel-Arab state relations.

Action at the United Nations has reflected broader concerns around the world. To date, 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

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<sup>25</sup> Adi Hashmonai, "Israel Plans to Evacuate Communities Close to Border with Lebanon, Many Refuse to Leave," *Haaretz*, October 17, 2023.

<sup>26</sup> "Israel strikes kill 8 Syria troops, hit Aleppo airport: defence ministry," *Agence France Presse*, October 25, 2023.

<sup>27</sup> Mohammad al-Kassim, "PA President Mahmoud Abbas MIA as Hamas wages war against Israel," *Ynetnews*, October 10, 2023.

<sup>28</sup> White House, "Remarks by President Biden and Prime Minister Anthony Albanese of Australia in Joint Press Conference," October 25, 2023.

<sup>29</sup> Department of State, "Secretary Antony J. Blinken at a Press Availability," Tel Aviv, Israel, November 3, 2023.

<sup>30</sup> The New Arab, "Arab group at UN 'doubling efforts to secure Gaza ceasefire,'" October 25, 2023.

<sup>31</sup> Matthew Lee, "Arab leaders push for an Israel-Hamas cease-fire now. Blinken says that could be counterproductive," *Associated Press*, November 4, 2023.

<sup>32</sup> International Crisis Group, "The Gaza War Reverberates Across the Middle East," November 4, 2023.

<sup>33</sup> Dennis Ross, "I Might Have Once Favored a Cease-Fire with Hamas, but Not Now," *New York Times*, October 27, 2023.

illegally held captive).<sup>34</sup> One observer has noted that developments related to the ongoing conflict could affect U.S. international influence with key regional and global actors.<sup>35</sup>

**Some open questions** include: What would constitute “victory” for Israel in Gaza? Determining that Hamas’s rule over Gaza or its ability to threaten Israel is eliminated or sufficiently reduced? What effect might U.S. and international concerns regarding civilian suffering and casualties have on the duration and nature of Israeli military operations? What might be the longer-term ramifications for U.S. priorities such as regional stability, security for Israel, countering the reach of Iran and its allies, and quality of life for all affected people? 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 Potential 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. On November 1, President Biden voiced support for a pause that could facilitate hostage releases.<sup>36</sup>

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 the October 7 attacks from happening again, while remarking that “the way Israel does so matters,” and reiterating U.S. interests in protecting civilians and bringing assistance to them.<sup>37</sup> 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.”<sup>38</sup> 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.<sup>39</sup>

On November 3, Blinken also reiterated U.S. support for potential humanitarian pauses:

A number of legitimate questions were raised in our discussions today, including how to use any period of pause to maximize the full humanitarian assistance, how to connect a pause to the release of hostages, how to ensure that Hamas doesn’t use these pauses or arrangements to its own advantage. These are issues that we need tackle urgently, and we believe they can be solved.<sup>40</sup>

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

<sup>35</sup> Hugo Dixon, “Israel war tests US appeal to global swing states,” Reuters, October 30, 2023.

<sup>36</sup> White House, “Remarks by President Biden at a Campaign Reception | Minneapolis, MN,” November 1, 2023.

<sup>37</sup> Department of State, “Secretary Antony J. Blinken at a Press Availability,” Tel Aviv, Israel, November 3, 2023.

<sup>38</sup> “US warns Israel amid Gaza carnage it doesn’t have long before support erodes,” CNN, November 3, 2023.

<sup>39</sup> Adam Entous et al., “U.S. Is Urging Israel to Limit Gaza Fatalities,” *New York Times*, November 5, 2023.

<sup>40</sup> Department of State, “Secretary Antony J. Blinken at a Press Availability,” Tel Aviv, Israel, November 3, 2023.

The same day, Prime Minister Netanyahu stated, “Israel refuses any temporary ceasefire that does not involve the release of the kidnapped Israelis. Israel is not allowing fuel into Gaza and objects to funds being transferred into the Strip.”<sup>41</sup> In a November 6 interview, Netanyahu clarified that Israel would pause hostilities were Hamas to agree to the release of hostages, and that Israel is open to “little pauses, an hour here, an hour there” short of a general cease-fire to enable humanitarian goods to come in. He argued that “the only thing that works on these criminals in Hamas is the military pressure that we’re exerting.”<sup>42</sup>

## Potential Post-Conflict Scenarios

In addition to reportedly advising Israel on how it conducts military operations, U.S. officials also have engaged in diplomatic talks with Israel and other regional partners over the future 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.”<sup>43</sup> In his October 31 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.<sup>44</sup> In a November 6 interview, Prime Minister Netanyahu 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.”<sup>45</sup>

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.”<sup>46</sup> 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.”<sup>47</sup>

According to one media report, U.S. officials believe that some form of Arab state backing would be critical to helping lay the groundwork for what might follow Hamas in governing Gaza. However, Arab government leaders reportedly are resisting U.S. suggestions that they play a

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<sup>41</sup> “Israel, US clash over ‘humanitarian pauses,’ Blinken rejects ceasefire calls,” *Jerusalem Post*, November 4, 2023.

<sup>42</sup> Alexandra Hutzler, “Netanyahu to ABC’s Muir: ‘No cease-fire’ without release of hostages,” ABC News, November 6, 2023.

<sup>43</sup> Scott Pelley, “President Joe Biden: The 2023 60 Minutes interview transcript.”

<sup>44</sup> Testimony available at <https://www.cq.com/doc/congressionaltranscripts-7867772?3>.

<sup>45</sup> Hutzler, “Netanyahu to ABC’s Muir: ‘No cease-fire’ without release of hostages.”

<sup>46</sup> “Receiving US State Secretary, President Abbas demands immediate end to Israel’s aggression on Gaza,” Wafa News Agency, November 5, 2023.

<sup>47</sup> Nathan J. Brown, “There Might Be No Day After in Gaza,” Carnegie Endowment for International Peace, November 3, 2023.

larger role—expressing that they believe Gaza to be “a problem largely of Israel’s own making.”<sup>48</sup>

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. It is unclear whether or not an international or multilateral coalition can facilitate such an outcome—particularly given problems over the long history of Israeli-Palestinian conflict with implementing such proposals—or 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*. Embarked across the three ships is the 26th Marine Expeditionary Unit (MEU) with approximately 2,400 Marines.

**Air Force Aircraft.** The United States has also ordered 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.”<sup>49</sup>

## **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”

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<sup>48</sup> Lee, “Arab leaders push for an Israel-Hamas cease-fire now.”

<sup>49</sup> U.S. Department of Defense, “Senior Defense Official, Senior Military Official Hold a Background Briefing on Israel,” October 23, 2023.

to such operations.<sup>50</sup> In late October, however, he said, “We don’t want this war to spread out.”<sup>51</sup> 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. Some have threatened military action against U.S. interests if the United States intervenes militarily in the Israel-Hamas war. Some groups have already conducted military operations directed at U.S. forces in the Middle East and/or possibly Israel. In Iraq, since October 7, U.S. forces have faced repeated drone attacks, leading to several injuries. Iran-allied Houthis in Yemen have reportedly launched multiple drones and missiles toward Israel.<sup>52</sup> 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.”<sup>53</sup> On October 26, Secretary Austin stated that U.S. forces struck two facilities in eastern Syria used by Iran and its allies for “ongoing and mostly unsuccessful attacks against U.S. personnel in Iraq and Syria by Iranian-backed militia groups.”<sup>54</sup>

As of November 5, the Department of Defense (DOD) reported that there have been 38 attacks on U.S. military personnel in U.S. Central Command’s area of responsibility since October 7, including 21 attacks since the October 26 U.S. strikes in eastern Syria. 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.<sup>55</sup>

## **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);<sup>56</sup> and (4) 155mm artillery shells.<sup>57</sup> 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

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<sup>50</sup> “Iran warns it may not ‘remain a spectator in Israel-Hamas conflict – as U.S. urges Iran not to intervene,” *Forbes*, October 15, 2023.

<sup>51</sup> “Iran does not want Israel-Hamas conflict to spread, foreign minister says,” Reuters, October 29, 2023.

<sup>52</sup> “Yemen’s Huthi rebels claim drone attack on Israel,” Agence France Presse, October 31, 2023.

<sup>53</sup> White House, “Remarks by President Biden and Prime Minister Anthony Albanese of Australia in Joint Press Conference,” October 25, 2023.

<sup>54</sup> Department of Defense, “Secretary of Defense Lloyd J. Austin III’s Statement on U.S. Military Strikes in Eastern Syria,” October 26, 2023.

<sup>55</sup> Courtney Kube, “At least 45 U.S. service members may have been injured in Iran-linked attacks,” NBC News, November 6, 2023.

<sup>56</sup> “The US is moving quickly to boost Israel’s military. A look at what assistance it’s providing,” Associated Press, October 14, 2023.

<sup>57</sup> 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.

essential needs” via “trusted partners including UN agencies and international NGOs.”<sup>58</sup> 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 may previously have been diverted—or be at risk of future diversion—by Hamas, other FTOs, or their affiliates.<sup>59</sup> In October 31 testimony before the Senate Appropriations Committee, Secretary of State Blinken said that U.S. officials can track and monitor the humanitarian assistance transiting Egypt’s Rafah crossing into Gaza, after inspection by Israeli and Egyptian officials,

to ensure that it’s actually gotten to where it’s supposed to go and not been diverted. To date, we don’t have reports either from the UN or from Israel that this assistance has been diverted from its intended recipients, but it’s something that we’re going to track very closely. Can I promise you and this committee that there’ll be 100 percent delivery to the designated recipients? No. There will inevitably be some spillage. We haven’t seen it to date, but I think we have to anticipate that. But the overwhelming, overwhelming majority of the assistance thus far is getting to people who need it. And we need more.<sup>60</sup>

## **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.<sup>61</sup> 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

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<sup>58</sup> White House, “U.S. Announcement of Humanitarian Assistance to the Palestinian People,” October 18, 2023. For examples of congressional support for humanitarian assistance, 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](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](https://connolly.house.gov/uploadedfiles/letter_to_president_biden_on_israel.pdf).

<sup>59</sup> Text of 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 118<sup>th</sup> 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 at <https://kustoff.house.gov/sites/evo-subsites/kustoff.house.gov/files/evo-media-document/text-stop-taxpayer-funding-of-hamas-act.pdf>.

<sup>60</sup> Testimony available at <https://www.cq.com/doc/congressionaltranscripts-7867772?3>.

<sup>61</sup> 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>.

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 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 (WRSA-I); and (5) emergency arms sales.<sup>62</sup>

### 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.<sup>63</sup>

Members of Congress are debating the scope and conditions under which current or proposed humanitarian assistance should be allocated. Some strongly support boosting humanitarian aid for

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<sup>62</sup> For more information on U.S. aid to Israel, see CRS Report RL33222, *U.S. Foreign Aid to Israel*, by Jeremy M. Sharp.

<sup>63</sup> See <https://www.whitehouse.gov/wp-content/uploads/2023/10/Summary-of-Funding-Request-to-Meet-Critical-Needs.pdf>.

Palestinians and facilitating its provision,<sup>64</sup> while others have expressed concerns that Hamas or other militants could divert aid shipments for their own use.<sup>65</sup>

## **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 items solely for their intended purposes.<sup>66</sup> 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.”<sup>67</sup> On October 16, 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.”<sup>68</sup>

On November 5, the *New York Times* reported that some lawmakers were questioning whether a proposed \$34 million direct commercial sale of 24,000 assault rifles to Israel might end up in the hands of Israeli settlers and civilian militias.<sup>69</sup> A subsequent report indicated that the Biden Administration permitted the sale after being assured that “the weapons wouldn’t go to civilian teams in Jewish settlements in the occupied West Bank according to four U.S. and Israeli officials with direct knowledge of the deal.”<sup>70</sup> On November 6, multiple news outlets reported that the State Department had approved a \$320 million sale to Israel of “Spice Family Gliding Bomb Assemblies,” which, according to Israeli arms manufacturer Rafael, “enables precision, high volume strikes in GPS-denied arenas.”<sup>71</sup>

## **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

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<sup>64</sup> 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](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](https://connolly.house.gov/uploadedfiles/letter_to_president_biden_on_israel.pdf).

<sup>65</sup> Rachel Oswald, “GOP seeks to end aid to Palestinian refugee agency amid Gaza war,” *Congressional Quarterly*, October 26, 2023; Marc Rod, “Republicans signal concerns about aid to Palestinians, Ukraine in Israel funding request,” *Jewish Insider*, October 23, 2023.

<sup>66</sup> 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.

<sup>67</sup> Missy Ryan, “Biden administration will track civilian deaths from U.S.-supplied arms,” *Washington Post*, September 13, 2023.

<sup>68</sup> Department of Defense, “Press Gaggle with Sabrina Singh, Deputy Pentagon Press Secretary,” October 16, 2023.

<sup>69</sup> Edward Wong and Patrick Kingsley, “U.S. Officials Fear American Guns Ordered by Israel Could Fuel West Bank Violence,” *New York Times*, November 5, 2023.

<sup>70</sup> Barak Ravid, “Scoop: Israel assures U.S. new M16s won’t go to West Bank settlers,” *Axios*, November 6, 2023.

<sup>71</sup> See, <https://www.rafael.co.il/spice-family/> and Edward Wong, “The State Department Approves \$320 Million Sale of Guided Bomb Equipment to Israel,” *New York Times*, November 6, 2023.



scope of international law while supporting its right to defend itself.<sup>72</sup> 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.”<sup>73</sup> 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.<sup>74</sup>

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<sup>72</sup> Text of November 3 letter from 58 Members to Secretary Blinken available at <https://twitter.com/AndrewSolender/status/1720582253816791248/photo/1>.

<sup>73</sup> “House Speaker Mike Johnson Tells GOP Jewish Confab: ‘God Is Not Done with Israel,’” *Haaretz*, October 29, 2023.

<sup>74</sup> 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>.