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

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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 said in October "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 conducted aerial bombardment and ground operations in Gaza, and also has halted electricity, food, and fuel supplies to Gaza from Israeli territory. Some life-sustaining goods are entering Gaza via Egypt, but U.S. and U.N. officials have sought to boost this aid. 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."

In October, Israel called for civilians in northern Gaza to move south. As of late November, the Israel Defense Forces (IDF) seems to control much of northern Gaza above ground, and is apparently preparing for major operations to confront key elements of Hamas's military and political leadership in the group's vast network of tunnels and in some areas of the south. The United Nations has stated that Gaza, with more than 1.8 million Gazans displaced (out of a population of approximately 2.1 million people) constitutes a major humanitarian crisis—having already faced dire economic and humanitarian conditions before the conflict. The Biden Administration has stated that Israel has the right and obligation to defend itself, and has resisted calls from other international actors for an indefinite cease-fire. However, U.S. leaders have reportedly warned Israeli counterparts that global outcry over civilian suffering could reach "a tipping point," and have cautioned against Israeli military operations in southern Gaza unless and until Israel can demonstrate plans for protecting civilians there.

Reportedly, more than 1,200 Israelis and foreign nationals (including 35 U.S. citizens in Israel) and more than 15,000 Palestinians in Gaza have been killed as of November 29. Hamas and other groups also seized around 240 hostages on October 7. Via talks involving Qatar, Egypt, and the United States to address the hostage situation, Israel and Hamas agreed to a multi-day pause in fighting that began on November 24. During the pause, 97 hostages held in Gaza and 210 Palestinian prisoners held by Israel have been released as of November 29, and increased humanitarian supplies have come into Gaza. Hamas and others reportedly hold 140 or more persons, including six to eight Americans.

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.

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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 said in October "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. 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 seeks to prevent diversion by Hamas—and to permit U.S. citizens and other foreign passport holders safe passage out. Israel's military has mobilized hundreds of thousands of troops, conducted air and artillery bombardments in Gaza, and encircled Gaza City through ground operations. Hamas and other Gaza-based militants have continued indiscriminate rocket fire into Israel. Reportedly as of November 29, more than 1,200 Israelis and foreign nationals (including 35 U.S. citizens in Israel) and more than 15,000 Palestinians in Gaza had been killed.⁴

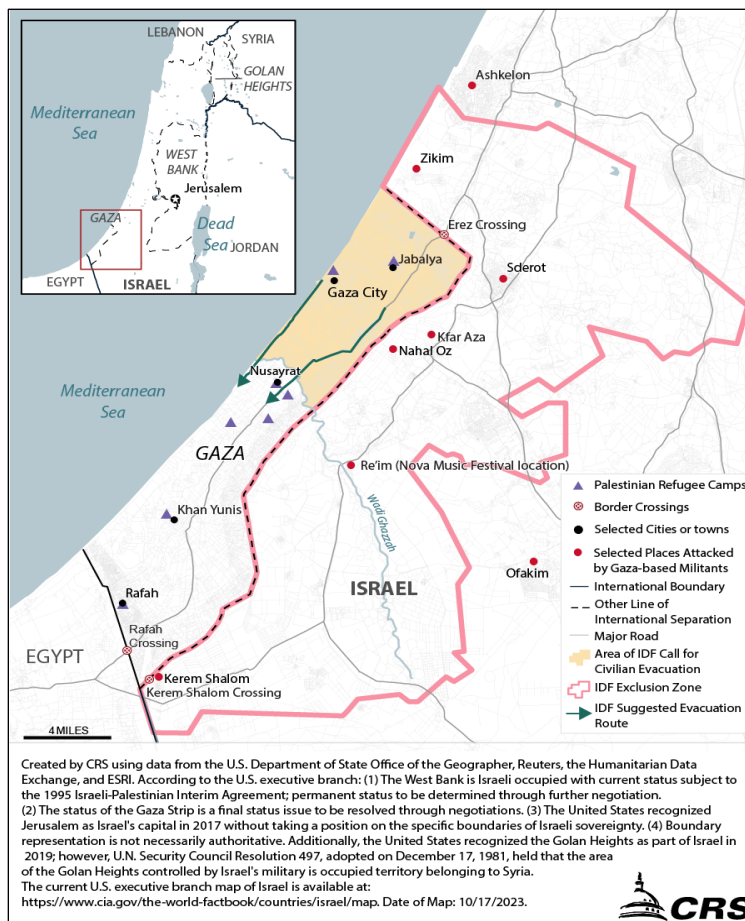
¹ Israeli Ministry of Foreign Affairs, "President Herzog reveals Hamas 'Captive Taking Handbook' in CNN interview," October 15, 2023.

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 United Nations Office for the Coordination of Humanitarian Affairs, "Hostilities in the Gaza Strip and Israel | Flash Update #54," November 29, 2023; Department of State, "Secretary Antony J. Blinken at a Press Availability," Tel Aviv, Israel, November 3, 2023. Palestinian casualty figures come from the Hamas-controlled government media office 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.

Figure I. Israel and Gaza: Conflict Map



Hamas and other groups reportedly seized around 240 Israeli and foreign national hostages on October 7, including some Americans. Recovering hostages has been a major Israeli and U.S. concern and complicating factor for Israel’s military campaign. Via talks involving Qatar, Egypt, and the United States to address the hostage situation, Israel and Hamas agreed to a multi-day pause in fighting that began on November 24. During the pause, 97 hostages held in Gaza (including two U.S.-Israeli dual citizens) and 210 Palestinian prisoners held by Israel have been released as of November 29,⁵ and increased humanitarian supplies have come into Gaza from Egypt. Hamas and other groups reportedly still hold 140 or more persons in Gaza, including six to eight Americans.⁶ Negotiations reportedly continue toward extending this pause or starting new ones in connection with more hostage-prisoner exchanges.

More than 1.8 million Gazans (out of a population of approximately 2.1 million people⁷) are reportedly displaced from their homes as of November 29.⁸ Since mid-October, the Israel Defense Forces (IDF) has “call[ed] for” the evacuation of civilians in northern Gaza “from their homes

⁵ “Israel releases more Palestinian prisoners on sixth day of Gaza truce after Hamas frees 16 hostages,” Associated Press, November 29, 2023. Two other American hostages were released before the late November pause.

⁶ Ibid.; Barak Ravid, “Hamas frees 16 hostages, including American, amid talks to extend Gaza ceasefire,” Axios, November 29, 2023.

⁷ Figures for Gaza’s total population per Central Intelligence Agency World Factbook.

⁸ United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #54,” November 29, 2023.

southwards for their own safety and protection,”⁹ and has reportedly prevented efforts by some Gazans to return to their homes in the north.¹⁰ As of late November, the IDF seems to control much of northern Gaza above ground, and is apparently preparing for major operations to confront key elements of Hamas’s military and political leadership in the group’s vast network of tunnels and in some areas of the south.¹¹ Israel reportedly has sought to relocate many of Gaza’s internally displaced persons (IDPs) to makeshift camps in a relatively open part of southern Gaza, but U.N. officials have expressed opposition to the plan and skepticism about logistically addressing the humanitarian needs of Gaza’s IDPs in that manner.¹²

Observers debate how to apportion blame between Israel and Hamas 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. Amid international public debate about damage and casualty levels and Israel’s use of large weapons in densely populated areas, an IDF spokesperson has argued that Israel has to use “larger bombs with a higher yield” to degrade Gazan military infrastructure that is often located near or under civilian facilities.¹³

U.S. and U.N. officials have sought to increase the provision of international assistance into Gaza via Egypt. U.N. officials have raised various public health concerns associated with fuel and water shortages, overcrowding, and poor sanitation. During the late November pause in fighting, Israel has allowed fuel shipments into Gaza and humanitarian convoys for the northern part of the territory, but these may decrease or end if the conflict resumes. Israeli officials have stated that their general opposition to fuel shipments stems from concerns that Hamas could divert the fuel for its military efforts. Some observers have pointed to evidence that Hamas has hoarded much of the fuel currently inside Gaza.¹⁴

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.¹⁵ President Biden expressed an expectation in mid-November that Israel would take “less intrusive action relative to hospitals,”¹⁶ after officials from the World Health Organization (WHO) and two other U.N. agencies—identifying “perilous” conditions for pediatric care and other services in many hospitals (including the Al Shifa hospital, Gaza’s largest)—called for “urgent international action” to end attacks on those facilities.¹⁷ U.S. officials

⁹ Israel Defense Forces, “IDF Announcement Sent to the Civilians of Gaza City,” October 13, 2023.

¹⁰ United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #54,” November 29, 2023.

¹¹ David Ignatius, “In Gaza, the hard search for tomorrow,” *Washington Post*, November 19, 2023.

¹² Paul Adams, “When this truce ends, the decisive next phase of war begins,” BBC News, November 24, 2023.

¹³ Lauren Leatherby, “Big Bombs in Urban Areas Raise Civilian Toll in Gaza,” *New York Times*, November 26, 2023.

¹⁴ 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.

¹⁵ United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #38,” November 13, 2023.

¹⁶ Brett Samuels, “Biden: Hospitals ‘must be protected’ in Gaza as Israeli forces close in,” *The Hill*, November 13, 2023.

¹⁷ World Health Organization, “UNFPA, UNICEF and WHO Regional Directors call for immediate action to halt attacks on health care in Gaza,” November 12, 2023.

have said that they have intelligence indicating that Hamas used Al Shifa for military purposes,¹⁸ though debate on this subject has persisted.¹⁹ As of late November, some patients (including a number of infants) have been evacuated, but others remain.²⁰ Some hospital services in northern Gaza have been restored amid WHO calls for that to happen. Five out of 24 hospitals there are partially functioning.²¹ Various countries are reportedly establishing or provisioning field hospitals in southern Gaza, northern Egypt, or on ships offshore.²²

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 two stated objectives are “To destroy the military and governmental capabilities of Hamas and bring the hostages home.”²⁴ Israel’s decisions regarding the potential resumption of fighting in Gaza could depend partly on its calculations about how Netanyahu’s stated objectives affect one another, and how Israel might effectively target Hamas in southern Gaza while minimizing risks to civilians.

Israel has reportedly lost roughly 395 soldiers since October 7, with about 77 killed since its ground incursion began, and has claimed to have killed thousands of militants in Gaza. **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 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

¹⁸ White House, “On-the-Record Press Call by NSC Coordinator for Strategic Communications John Kirby and Deputy National Security Advisor for International Economics Mike Pyle to Preview President Biden’s Day Ahead at APEC,” November 16, 2023.

¹⁹ Dov Lieber and Omar Abdel-Baqi, “Israel Details Case Against Gaza Hospital,” *Wall Street Journal*, November 25, 2023.

²⁰ WHO, “Joint UN mission transfers critical patients from Al-Shifa Hospital in Gaza, under intense fighting,” November 24, 2023.

²¹ United Nations Office for the Coordination of Humanitarian Affairs, “Hostilities in the Gaza Strip and Israel | Flash Update #54,” November 29, 2023; WHO, “WHO leads very high-risk joint humanitarian mission to Al-Shifa Hospital in Gaza,” November 18, 2023.

²² Baruch Yedid, “Arab countries setting up field hospitals for Gazans,” *Jewish News Syndicate*, November 13, 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.

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.

likely remain mindful of the sizable population of Palestinians who support confronting Israel²⁷—support that could be bolstered by the prisoner releases that have occurred in late November.²⁸ 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,²⁹ and has written, “The United States is prepared to take our own steps, including issuing visa bans against extremists attacking civilians in the West Bank.”³⁰

As civilian casualties have mounted 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.³¹ 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.³² Although popular sentiment in Arab states has placed pressure on their governments to publicly oppose Israeli actions in Gaza,³³ one former U.S. official has said that many Arab leaders have told him that “ Hamas must be destroyed in Gaza.”³⁴ 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.

On November 15, the **U.N. Security Council** adopted Resolution 2712, which called for “urgent and extended humanitarian pauses” and the “immediate and unconditional release of all hostages held by Hamas and other groups,” and urged all parties to refrain from depriving civilians in Gaza of “basic services and humanitarian assistance indispensable to their survival.” The resolution was adopted by a vote of 12 in favor, none against, with three abstentions (the United States, the United Kingdom, and Russia). U.S. Permanent Representative to the United Nations Linda Thomas-Greenfield stated that she could not vote yes on a text that did not condemn Hamas or reaffirm the rights of all Member States to protect their citizens from terrorist attacks.³⁵

Some open questions include: What would constitute “victory” for Israel in Gaza? What does the future of Gaza look like? How will the conflict in Gaza affect the situation in the West Bank? What effect might (1) U.S. and international concerns regarding civilian suffering and casualties in Gaza and (2) domestic Israeli sentiment regarding the status of hostages have on the duration

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

²⁸ Christina Goldbaum and Hiba Yazbek, “In West Bank, Trust in Hamas Only Deepens,” *New York Times*, November 30, 2023.

²⁹ White House, “Remarks by President Biden and Prime Minister Anthony Albanese of Australia in Joint Press Conference,” October 25, 2023.

³⁰ Joe Biden, “The U.S. won’t back down from the challenge of Putin and Hamas,” *Washington Post*, November 19, 2023.

³¹ Qatar Ministry of Foreign Affairs, “Qatar and a Number of Arab Countries Issue Joint Statement Following Cairo Peace Summit,” October 26, 2023.

³² “Arab-Islamic summit adopts resolution on Israeli aggression against the Palestinian people,” *Arab News*, November 12, 2023.

³³ International Crisis Group, “The Gaza War Reverberates Across the Middle East,” November 4, 2023.

³⁴ Dennis Ross, “I Might Have Once Favored a Cease-Fire with Hamas, but Not Now,” *New York Times*, October 27, 2023. See also “Many Arab governments would like to see Hamas gone,” *The Economist*, November 16, 2023.

³⁵ United Nations, “Adopting Resolution 2712 (2023), Security Council Calls for ‘Urgent and Extended’ Humanitarian Pauses in Gaza, Immediate Release of Hostages,” November 15, 2023. Before the adoption of Resolution 2712, Russia proposed an amendment—which was not adopted—that would have called for an “immediate, durable and sustained humanitarian truce leading to a cessation of hostilities.” This verbiage had previously been adopted by the U.N. General Assembly on October 26 as part of its Resolution A/ES-10/L.25.

and nature of Israeli military operations? What 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. President Biden, Secretary of State Blinken, Secretary of Defense Lloyd Austin, and other Administration officials have visited Israel and other countries in the region since the outbreak of conflict. U.S. officials have publicly disagreed with calls for an indefinite cease-fire, citing Israel’s right to defend itself. In a November 19 *Washington Post* op-ed column, President Biden wrote:

As long as Hamas clings to its ideology of destruction, a cease-fire is not peace. To Hamas’s members, every cease-fire is time they exploit to rebuild their stockpile of rockets, reposition fighters and restart the killing by attacking innocents again. An outcome that leaves Hamas in control of Gaza would once more perpetuate its hate and deny Palestinian civilians the chance to build something better for themselves.³⁶

Nevertheless, U.S. officials have voiced support for “humanitarian pauses,” and President Biden personally worked with Israeli and Qatari counterparts to help secure the late November pause in fighting and hostage-prisoner exchanges.³⁷

While President Biden appears to broadly support Israel’s stated objectives of ending Hamas rule in Gaza, one former U.S. official has said that Biden is “looking for ways to de-escalate and eventually for an exit ramp.”³⁸ Should fighting resume, the Administration has reportedly urged Israel to be more “surgical” in its targeting of Hamas to limit further civilian casualties. One unnamed official has stated, “We don’t support Israel moving in the south unless or until they can demonstrate a plan that accounts for the additional civilian life that is now in South Gaza and how they’re going to try to protect that,” while also saying that U.S. efforts to date in encouraging Israelis to be more cautious and precise have “had some effect on their thinking and their execution.”³⁹ Some U.S. officials have reportedly privately expressed to Israeli counterparts that they may have limited time before international uproar over civilian suffering and calls for a cease-fire reach “a tipping point.”⁴⁰

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

³⁶ Biden, “The U.S. won’t back down from the challenge of Putin and Hamas.”

³⁷ Barak Ravid, “Inside Biden’s push for the Israel-Hamas hostage deal,” *Axios*, November 23, 2023.

³⁸ Aaron David Miller, quoted in Peter Baker, “Challenge for Biden: What Comes Next,” *New York Times*, November 27, 2023.

³⁹ “US officials urge Israel to be more precise and surgical in targeting of Hamas to limit civilian casualties,” *CNN*, November 28, 2023.

⁴⁰ “US warns Israel amid Gaza carnage it doesn’t have long before support erodes,” *CNN*, November 3, 2023. See also “Top US general cautions over risks in a long Gaza war,” *Reuters*, November 9, 2023.

governance of Gaza. In President Biden’s November 19 op-ed, he articulated the following principles for postwar Gaza:

To start, Gaza must never again be used as a platform for terrorism. There must be no forcible displacement of Palestinians from Gaza, no reoccupation, no siege or blockade, and no reduction in territory.... As we strive for peace, Gaza and the West Bank should be reunited under a single governance structure, ultimately under a revitalized Palestinian Authority, as we all work toward a two-state solution.... The international community must commit resources to support the people of Gaza in the immediate aftermath of this crisis, including interim security measures, and establish a reconstruction mechanism to sustainably meet Gaza's long-term needs.⁴¹

In October 31 congressional testimony, Secretary Blinken said that if turning Gaza over to the PA “in one step” cannot happen, “other, temporary arrangements” could involve other regional countries and/or international agencies.⁴² 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.”⁴³

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.”⁴⁴ 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.”⁴⁵

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.”⁴⁶ Netanyahu also has voiced skepticism about the PA’s ability to de-militarize and de-radicalize Gaza, calling for some other “reconstructed civilian authority.”⁴⁷ Some Israelis, including opposition leader Yair Lapid, argue that the PA should return to Gaza,⁴⁸ with some asserting that Netanyahu’s stance reflects ideological opposition to a two-state solution.⁴⁹ 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

⁴¹ Biden, “The U.S. won’t back down from the challenge of Putin and Hamas.”

⁴² Senate Appropriations Committee testimony available at <https://www.cq.com/doc/congressionaltranscripts-7867772?3>.

⁴³ Matthew Lee, “Arab leaders push for an Israel-Hamas cease-fire now,” November 4, 2023.

⁴⁴ “Receiving US State Secretary, President Abbas demands immediate end to Israel's aggression on Gaza,” Wafa News Agency, November 5, 2023.

⁴⁵ Nathan J. Brown, “There Might Be No Day After in Gaza,” Carnegie Endowment for International Peace, November 3, 2023.

⁴⁶ Alexandra Hutzler, “Netanyahu to ABC’s Muir: ‘No cease-fire’ without release of hostages,” ABC News, November 6, 2023.

⁴⁷ Transcript, “State of the Union,” CNN, November 12, 2023.

⁴⁸ Anat Peled et al., “Israel, U.S. Split on Gaza Plan,” *Wall Street Journal*, November 13, 2023.

⁴⁹ Zvi Bar’el, “Netanyahu Refuses to Admit That the Palestinian Authority Is the Only Option for Governing Gaza,” *Haaretz*, November 13, 2023.

Palestinian-inhabited territories “occupied since 1967” constitute a sole geographical unit.⁵⁰ National Security Council spokesperson John Kirby has said that while IDF management of security is plausible for “at least some period of time” after the conflict, an IDF reoccupation of Gaza is not “a long-term governance solution.”⁵¹

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. Potential tensions among these three points could intensify challenges that any actors taking responsibility for Gaza would face. It is also unclear whether or not such an outcome can be credible 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. As of late November, the USS *Gerald R. Ford* carrier strike group remains in the eastern Mediterranean. The USS *Dwight D. Eisenhower* carrier strike group is positioned in the Gulf of Oman, and the USS *Bataan* Amphibious Ready Group (ARG) is positioned in the Red Sea.⁵² 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 along with 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. Military Response to Iranian-Supported Groups

Iran supports several proxy non-state actors across the Middle East, and armed groups in Iraq, Syria, Lebanon, and Yemen have expressed support for the Hamas attacks. To date, 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. Since mid-October, there have been at least 73 attacks against U.S. forces stationed in Iraq and Syria. The United States has conducted at least four air strikes in retaliation.⁵³ In the Red Sea, the U.S. Navy has intercepted Houthi missiles and drones from Yemen heading toward Israel, thwarted Houthi hijackings of Israeli-linked commercial vessels, and taken fire from Houthi forces.⁵⁴ The Houthis reportedly shot down a U.S. MQ-9 Reaper unmanned aerial vehicle.⁵⁵

⁵⁰ “Arab-Islamic summit adopts resolution on Israeli aggression against the Palestinian people,” *Arab News*, November 12, 2023.

⁵¹ White House, “Press Briefing by Press Secretary Karine Jean-Pierre and NSC Coordinator for Strategic Communications John Kirby,” November 8, 2023.

⁵² “USNI News Fleet and Marine Tracker,” *USNI News*, November 20, 2023.

⁵³ Haley Britzky and Oren Liebermann, “US forces came under attack 4 times in Iraq and Syria on Thanksgiving,” CNN, November 24, 2023.

⁵⁴ “US Navy seizes attackers who held Israel-linked tanker,” BBC News, November 27, 2023.

⁵⁵ Eric Schmitt, “Houthi Rebels Shot Down a U.S. Drone Off Yemen’s Coast, Pentagon Says,” *New York Times*, November 8, 2023.

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);⁵⁶ (4) 155mm artillery shells.⁵⁷ The Administration also is to provide Israel with two Iron Dome batteries previously purchased by the U.S. Army. According to one report, the United States also has shipped 2,000 Hellfire laser-guided missiles for Israel's Apache attack helicopters, along with 36,000 rounds of 30mm ammunition to be fired by the Apache's cannon.⁵⁸ The same report cites an Israeli request to the United States for: 57,000 155mm High Explosive artillery shells, 20,000 M4A1 rifles, 5,000 PVS-14 night vision devices, 3,000 M141 shoulder-fired bunker-buster munitions, 400 120mm mortars and 75 of the Army and Marine Corps' Joint Light Tactical Vehicles.⁵⁹

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."⁶⁰ According to the U.S. Agency for International Development (USAID), for FY2024, USAID's Bureau of Humanitarian Assistance (BHA) has so far committed \$21.9 million to the World Food Program. The Department of State's Bureau of Population, Refugees, and Migration (PRM) has so far committed \$66 million to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and other implementing partners.⁶¹

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 or other groups.⁶² Other lawmakers have called for additional humanitarian aid for the Palestinians.⁶³

⁵⁶ "The US is moving quickly to boost Israel's military. A look at what assistance it's providing," Associated Press, October 14, 2023.

⁵⁷ 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.

⁵⁸ The report also noted that the U.S. Defense Department also has shipped 1,800 M141 bunker-buster munitions and at least 3,500 night-vision devices to Israel. Tony Capaccio, "Pentagon Is Sending Israel Ammunition, Laser-Guided Missiles," Bloomberg, November 15, 2023.

⁵⁹ Ibid.

⁶⁰ White House, "U.S. Announcement of Humanitarian Assistance to the Palestinian People," October 18, 2023.

⁶¹ USAID, Levant Complex Emergency Fact Sheet #1, November 14, 2023.

⁶² Text of October 24 letter from 24 Representatives to USAID 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.

⁶³ 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.

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.⁶⁴ 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 Israel-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 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

⁶⁴ 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>.

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 and Possible Conditions

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.⁶⁵ As the Senate considers one or more potential supplemental appropriations bills, some lawmakers have publicly signaled their support for specific legislative language that would potentially condition U.S. security assistance to Israel on Israel's compliance with U.S. and/or international law and regard for civilian casualties.⁶⁶ Other members have voiced opposition to efforts to "tie the hands of Israel" or condition assistance.⁶⁷

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.⁶⁸

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,⁶⁹ while others have expressed concerns that Hamas or other militants could divert aid shipments for their own use.⁷⁰

Monitoring U.S. Security Assistance for Human Rights Purposes

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 the early days of Israel's military response, IDF spokesperson Rear Admiral Daniel Hagari noted that Israel's air campaign emphasized damage and not accuracy.⁷¹ Regarding Israel's obligation to comport with international legal standards, Deputy National Security Advisor Jon Finer asserted, "Israel is fighting an adversary that not only does not hold itself to these same standards; it openly boasts

⁶⁵ For more information on the subject, see CRS Report RL33222, *U.S. Foreign Aid to Israel*, by Jeremy M. Sharp.

⁶⁶ For example, see Sarah Fortinsky, "Turner says 'conditional aid' to Israel 'accurately' reflects US policy," *The Hill*, November 26, 2023; "Sen. Murphy open to placing conditions on aid to Israel, calls civilian death toll in Gaza 'unacceptable,'" CNN, November 26, 2023.

⁶⁷ Senate Minority Leader, *Congressional Record*, November 28, 2023; Adrian Adragna, "Senate Foreign Relations chair does not support conditions on U.S. aid to Israel," *Politico*, November 27, 2023.

⁶⁸ See <https://www.whitehouse.gov/wp-content/uploads/2023/10/Summary-of-Funding-Request-to-Meet-Critical-Needs.pdf>.

⁶⁹ 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.

⁷⁰ 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.

⁷¹ "Is Israel acting within the laws of war?" *The Economist*, October 14, 2023.

about flouting them... That does not diminish Israel's obligations, but it is a facet of this conflict that makes the challenge extremely daunting."⁷²

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."⁷³ Regarding U.S. defense consultation with Israel on mitigating civilian harm, one *Wall Street Journal* report noted that U.S. officials have "pressed Israel to avoid targets that would endanger large numbers of civilians or that might raise objections for violating international law. Those conversations have yielded only mixed success, and Washington has communicated its frustration with the civilian death toll to the Israeli government."⁷⁴

Congress may 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 Arms Export Control Act (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.⁷⁵ In addition, in February 2023, the Administration revised the U.S. Conventional Arms Transfer Policy, which states:

United States foreign policy and national security objectives are best advanced by facilitating arms transfers to trusted actors who will use them responsibly and who share United States interests. This policy recognizes that, when not employed responsibly, defense materiel can be used to violate human rights and international humanitarian law, increase the risk of civilian harm, and otherwise damage United States interests.⁷⁶

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."⁷⁷ According to the Department of Defense, Civilian Harm Mitigation and Response Officers (CHMROs) are actively monitoring reports of civilian casualties in Gaza.⁷⁸

On November 15, Representative Ilhan Omar introduced H.J.Res. 102, a resolution of disapproval against the U.S. sale of SPICE Family Gliding Bomb Assemblies (a guidance kit for converting air-droppable unguided bombs into precision-guided bombs) to Israel.⁷⁹ The resolution was referred to the Committee on Foreign Affairs.

⁷² Rachel Oswald, "US arms aid to Israel tests whether humanitarian law applies," *CQ News*, November 20, 2023.

⁷³ House Foreign Affairs Committee testimony available at <https://plus.cq.com/doc/congressionaltranscripts-7877975?4>.

⁷⁴ Vivian Salama and Gordon Lubold, "Israel Tests Limits of Biden's Support," *Wall Street Journal*, November 20, 2023.

⁷⁵ 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.

⁷⁶ White House, Memorandum on United States Conventional Arms Transfer Policy, February 23, 2023.

⁷⁷ Missy Ryan, "Biden administration will track civilian deaths from U.S.-supplied arms," *Washington Post*, September 13, 2023.

⁷⁸ Department of Defense, "Deputy Pentagon Press Secretary Ms. Sabrina Singh Holds a Press Briefing," November 21, 2023.

⁷⁹ For background information on these types of resolutions, see CRS Report RL31675, *Arms Sales: Congressional Review Process*, by Paul K. Kerr.

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