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United States Senate

COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510-6025
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EVAN T. SCHATZ, STAFF DIRECTOR
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May 14, 2024

The Honorable Antony Blinken
Secretary
U.S. Department of State
2201 C Street N.W.
Washington, D.C. 20520

The Honorable Lloyd Austin
Secretary
U.S. Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Blinken and Secretary Austin:

We write regarding the Administration's decision to withhold certain assistance from Israel – America's closest ally in the Middle East – as it seeks to defeat the terrorist group Hamas and defend against attacks from Iran and its proxies. On a bipartisan basis, Congress has repeatedly affirmed its support for Israel and its right to defend itself. The enactment last month of the national security supplemental appropriations act, which was approved by Congress overwhelmingly and provides vital assistance to Israel, Ukraine, and our partners in the Indo-Pacific region, is the most recent example of Congress's strong commitment to Israel as it defends itself following Hamas' unprovoked invasion and brutality.

We were alarmed when we learned from the media, rather than the Administration, that despite the President's assertion that his commitment to the security of Israel is "ironclad," certain shipments of munitions intended for Israel are being withheld from delivery. We have been frustrated by your respective Departments' unwillingness to provide Congress with timely and detailed answers to questions about exactly what arms transfers are currently on hold and what arms transfers the Administration may seek to withhold in the future. This includes potential Foreign Military Sales, Direct Commercial Sales, and transfers of U.S. military equipment pursuant to Presidential Drawdown Authority.

We ask that you reply in writing to the following questions no later than May 20, 2024, in advance of Secretary Blinken's testimony in front of the Senate State, Foreign Operations, and Related Programs Appropriations Subcommittee:

1. On May 8, 2024, Secretary Austin testified before the Senate Appropriations Subcommittee on Defense that the Administration has paused one shipment of "high payload munitions." The Committee recently was informed by the Office of the Under Secretary of Defense (Comptroller) that the Administration is withholding the

- delivery or delaying the sale of 1,800 Mk-84 2,000-pound bombs, as well as more than 1,700 Mk-82 500-pound bombs.
- a. Is this information current and accurate?
 - b. Please provide the current location of these items and who has custody of them.
2. On May 12, 2024, Secretary Blinken stated that, "if Israel launches [a] major military operation into Rafah, then there are certain systems that we're not going to be supporting and supplying for that operation."
 - a. Besides the weapons identified above, what are the other weapons, munitions, equipment, or other support requested by the Government of Israel that the Administration is withholding or may seek to withhold if Israel expands military operations in Rafah? Please provide specific details on the items, quantities, and services or support that are or could be affected.
 - b. Has anyone within the Administration communicated to the Government of Israel that additional assistance is or may be withheld? If so, please identify the individual who communicated such message and the date on which it was relayed.
 3. Secretary Austin testified that the Administration is "currently reviewing some near-term security assistance shipments in the context of the unfolding events in Rafah."
 - a. When was the review initiated?
 - b. What is the nature of the review?
 - c. Who initiated the review, and who is conducting the review now?
 - d. What are the respective roles of the Departments of Defense and State in this review?
 - e. Has the review resulted in the delay of any planned shipments?
 - f. Why was Congress not made aware of this review in a timely manner, including its potential impact on weapons deliveries?
 - g. Were your Departments instructed by anyone at the White House or the National Security Council to not share this information with Congress? If so, who instructed your Departments and for what reason?
 4. We are aware of press reports that the Administration is withholding, or delaying by inaction, the sale or delivery to Israel of Joint Direct Attack Munitions (JDAMs) kits, which convert unguided bombs into precision-guided munitions, and/or Small Diameter Bombs.
 - a. Are there any Foreign Military Sales, Direct Commercial Sales, or other proposed transfers of these weapons or kits in any stage of the arms export process that are not proceeding because of the Administration's ongoing review of near-term security assistance shipments in the context of the unfolding events in Rafah?
 - b. If so, please provide specific details on the items, quantities, and services or support that could be affected.
 5. For any weapons, equipment, or support identified above that is funded directly or indirectly by funding appropriated by Congress, please describe the amount of

funding by fiscal year and account that has been obligated or would be obligated to allow the arms sales in question to proceed.

Thank you for your prompt responses to these questions.

Sincerely,



Susan M. Collins
Ranking Member, Subcommittee on Defense
Vice Chairman, Committee on Appropriations



Lindsey O. Graham
Ranking Member, Subcommittee on State,
Foreign Operations, and Related Programs