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113TH CONGRESS
1ST SESSION

H. R. 2846

To transfer to Jerusalem the United States Embassy located in Tel Aviv.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2013

Mr. FRANKS of Arizona (for himself, Mr. SHERMAN, Mr. LAMBORN, Mr. VARGAS, and Mr. GENE GREEN of Texas) introduced the following bill; which was referred to the Committee on Foreign Affairs

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A BILL

To transfer to Jerusalem the United States Embassy located in Tel Aviv.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Recognition of Jerusalem as the Capital of the State of Israel Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Jerusalem has been the eternal and undivided capital of the state of Israel for the past 3,000 years.

(2) The State of Israel was established on May 14, 1948, in the wake of World War II in order to serve as a homeland and place of refuge for the Jewish people.

(3) There has been an uninterrupted Jewish presence in the city of Jerusalem for 3,000 years and a Jewish majority since 1840. Since 1950, the city of Jerusalem has been the capital of the State of Israel.

(4) From 1948 to 1967, Jerusalem was a divided city and Israeli citizens of all faiths were not entitled to visit the holy sites, and Jews from other countries were restricted in their access to holy sites in the area controlled by Jordan. In 1967, the city of Jerusalem was reunited during the conflict known as the Six Day War, and since 1967, Jerusalem has been a unified city administered by Israel, and persons of all faiths have been guaranteed full access to the holy sites within the city.

(5) In 1990, Congress unanimously adopted Senate Concurrent Resolution 106, which declares that Congress "strongly believes that Jerusalem must remain an undivided city in which the rights of every ethnic religious group are protected".

(6) In 1995, Congress overwhelmingly approved the Jerusalem Embassy Relocation Act (Public Law 104–45), requiring the establishment of the United States Embassy in Jerusalem not later than May 31, 1999.

(7) The United States maintains its embassy in the functioning capital in every country except in the State of Israel.

(8) Establishing sovereign claims according to the 1907 Hague Regulations under article 43, requires that ''[t]he authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country.''.

(9) Israel has far exceeded the 1907 Hague Regulation as directed by international law. Israel has taken all measures to restore and ensure public order and safety in Jerusalem.

(10) Jerusalem has been far safer and more protected under Israel's administration than under any previous authorities.

(11) Civil life is entirely present in Jerusalem, and all government institutions and related frame-

works are also present, including the Knesset, the Bank of Israel, the Ministry of Foreign Affairs, the Prime Minister's and President's offices, and the Supreme Court.

(12) The United States Government owns property in Tel Aviv that was acquired for the cost of $1.00 in 1957.

(13) The United States Government has allocated five properties in Jerusalem, totaling over of 40,000 square feet and 14 acres of land.

(14) The United States Government's property located at 14 David Flusser Street in Jerusalem presents an ideal location for the United States Embassy to Israel. The Department of State completed construction of the property in 2010, and the six acre site is leased for 75 years.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should recognize the sovereign status of an undivided Jerusalem as the capital of the State of Israel;

(2) recognizing Jerusalem as the capital of Israel and transferring the United States Embassy to Jerusalem from Tel Aviv will send a signal of United States commitment and resolve to Israel; and

(3) the Secretary of State should—

(A) transfer the United States Embassy in Tel Aviv, Israel, to 14 David Flusser Street, Jerusalem, Israel; and

(B) take such actions as are necessary to either repurpose or sell at an appropriate market rate the United States Embassy in Tel Aviv, Israel, and, if the Embassy is sold, deposit in the Asset Management Account of the Department of State the proceeds from such sale.

SEC. 4. AMENDMENT TO THE JERUSALEM EMBASSY ACT OF 1995.

(a) REPEAL.—Subject to subsection (b) of this section, section 7 of the Jerusalem Embassy Act of 1995 is repealed.

(b) EFFECTIVE DATE.—The repeal specified in subsection (a) shall take effect on January 1, 2014.

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