

Supporting an Undivided U.S. Embassy in Jerusalem

The Biden administration has repeatedly made clear its intent to establish a consulate general in Jerusalem devoted to Palestinian affairs.¹ This would be a reversal of decades-long diplomatic precedent in the United States. In 1995, bipartisan supermajorities of both houses of Congress passed the Jerusalem Embassy Act.² The 1995 law recognizes, as a matter of official U.S. policy, Jerusalem as the undivided capital of Israel and also called for the U.S. Embassy to be relocated from Tel Aviv to Jerusalem. That move was officially completed by the Trump administration in 2018.

Should President Biden create a U.S. diplomatic office outside of the U.S. Embassy dedicated to Palestinian affairs, it would provide validation to non-state actors in the Middle East such as the Palestinian Authority, Hamas, and Palestinian Islamic Jihad that seek to contest and undermine Israel's sovereignty over its own capital city. Additionally, because consular services to Palestinians are already being managed by the U.S. Embassy's Palestinian Affairs Unit, the consulate's management would be largely duplicative.

Senator Hagerty paved the way forward on this issue with his introduction last year of the Upholding the Jerusalem Embassy Law Act. Senator Lee along with 40 Senate colleagues cosponsored that bill, which aims to impose legal restrictions on any potential reopening of a new consulate in Jerusalem.³ Though some recent reports indicate that the Biden administration may be rethinking its plan due to bipartisan opposition in both the United States and Israel, no official decision has been issued or announced.⁴ Senator Lee's resolution would continue to demonstrate congressional opposition to any action that undermines Israeli sovereignty.

Resolution Specifics

- States Congress's opposition to any establishment of a separate U.S. diplomatic office for Palestinian affairs within Jerusalem.
- Expresses that such a plan is an affront to a U.S. ally and violates the intent of current U.S. law and therefore should not move forward in the absence of congressional authorization.

¹ ["U.S. will move forward with reopening its Palestinian mission in Jerusalem -Blinken,"](#) Reuters, October 13, 2021.

² [S.1322 - Jerusalem Embassy Act of 1995](#)

³ [S.3063 - Upholding the 1995 Jerusalem Embassy Law Act of 2021](#)

⁴ ["US holding off on reopening Jerusalem consulate amid strong pushback from Israel,"](#) Times of Israel, December 15, 2021.

⁵ ["Biden faces growing bipartisan opposition over planned Palestinian consulate in Jerusalem,"](#) The New York Post, November 20, 2021.