



Congressional Update

By Roxanne Perugino

June 10 - 17, 2016

I. Israeli-Palestinian

On June 1, Senator David Perdue (R-Georgia) sent a [letter](#) to Secretary of State Kerry, expressing his concerns regarding the Paris peace meeting and urging the Secretary "...to work to ensure that it does not take steps that will, ultimately, set back the cause of peace." Perdue's letter urges Secretary Kerry to push back against any effort to impose any plan upon the parties or endorse parameters for future negotiations.

II. Saudi Arabia

(1) Saudi Arabia's Deputy Crown Prince Muhammad bin Salman arrived in the United States this week for meetings with President Barack Obama, Secretary of State John Kerry, Secretary of Defense Ashton Carter and members of Congress, including Senate Foreign Relations Committee members, Senate Armed Services Committee Members, and House and Senate Leadership, among others. Discussions focused on the US-Saudi bilateral relationship, the Syrian conflict, Iran, and Yemen. Reportedly, in each of the Deputy Crown Prince's meeting discussions focused on the shared commitment by the US and the Kingdom to continue their cooperation in combatting the spread of violent extremism, both regionally and internationally.

Interestingly, while the Deputy Crown Prince met with the House and Senate Leadership as a large group, including Committee chairmen and ranking members of the House Foreign Affairs, Homeland Security, Armed Services and Intelligence Committees, he had a one-on-one meeting for over an hour with Representative Darrell Issa (R-California), a senior member of the Judiciary Committee. Reportedly the discussion centered on the Justice Against Sponsors of Terrorism Act (JASTA), which Issa opposes and is pending in the House Judiciary Committee.

The Crown Prince had some measure of success during his Hill meetings. An amendment to the House Defense Appropriation bill, which the House passed on June 16, prohibiting the transfer of munitions to Saudi Arabia was narrowly defeated by a vote of 204-216.

Following the Crown Prince's visit to Capitol Hill, Senator Tom Cotton (R-Arkansas) released the following statement:

"I appreciate the productive and open exchange of views today with Deputy Crown Prince Muhammad bin Salman, which reflects the close and longstanding partnership between our two nations. Our main focus was our mutual security interests, including counterterrorism efforts against al-Qaeda and the Islamic State and the threat posed by



Iran's aggression in Syria, Iraq, Yemen, and the broader Middle East. We also discussed economic issues, including the Vision 2030 Plan, a promising initiative led by the Deputy Crown Prince to diversify and grow the Saudi economy for the twenty-first century. In the years ahead, U.S. and Saudi interests will continue to align as we face old challenges and seize new opportunities. I look forward to working with Deputy Crown Prince Muhammad bin Salman to advance our shared interests, protect our people, and build a peaceful and prosperous world."

(2) As reported earlier, the Senate on May 17, passed **S.2040, the Justice Against Sponsors of Terrorism Act (JASTA)**. The bill is aimed specifically at Saudi Arabia, although the Kingdom is not mentioned, and has been referred to the House Judiciary Committee for further action.

The bill, **S. 2040**, would modify the Foreign Sovereign Immunities Act to give US courts the ability to hear lawsuits brought not only by family members of 9/11 victims but also victims of any future terrorist attacks on the United States who argue a foreign government or its employees knowingly gave substantial assistance to the attackers. Suspicions that some Saudi citizens, including individual members of the ruling royal family, were involved in the 9/11 attack have been circulating for years, but no evidence exists of official Saudi involvement.

According to congressional sources, the Judiciary Committee is planning to mark up the bill later this month or early July. A date certain has not yet been announced, but the outlook for passage is unclear. The bill was introduced by Representative Peter King (D-New York), a frequent and harsh critic of Saudi Arabia. The bill currently has only 32 co-sponsors, a sign of tepid support for the measure. House Speaker Paul Ryan (R-Wisconsin) has advocated moving cautiously on the bill. Other House Leadership members, including House Armed Services Chairman Mac Thornberry (R-Texas), Judiciary Committee Chairman Bob Goodlatte (R-Virginia), and Mike McCaul (R-Texas), Chairman of the House Homeland Security Committee, also are taking a cautious approach.

In the event the Senate-passed measure dies in the House, it could be resurrected again in the next Congress, given the ambivalence among many members between support for a key ally and concerns that the Kingdom is not doing enough on counterterrorism matters, including the issue of terrorist financing

Saudi leaders remain worried about prospects for congressional passage of the legislation. In recent weeks, the Kingdom has been circulating a 103-page white paper on its counterterrorism efforts. The government has also ramped up its monitoring of all philanthropic giving by Saudi citizens and now requires all charitable organizations to get a license to ensure organizations are not steering funds to extremist organizations.

Earlier this month, the State Department released its annual Country Reports on Terrorism, which found while Saudi Arabia has made "serious and effective efforts" to counter terrorist financing, Saudi individuals and entities continued to send funds abroad to Sunni extremist groups, including al-Qaida's Syria-based affiliate, the Nusrah Front. "While the kingdom has tightened banking and charity regulations, and stiffened penalties for financing terrorism, funds are allegedly collected in secret and illicitly transferred out of the country in cash, often via pilgrims performing Hajj," the



report says. “Recent regional turmoil and a sophisticated use of social media have facilitated charities outside of Saudi Arabia with ties to violent extremists to solicit donations from Saudi donors.”

III. Israel

Israeli Control of Golan. On June 7, Representative Doug Lamborn (R-Colorado) introduced **HRes768, a resolution recognizing the sense of the House of Representatives that it is in the United States' national security interest for Israel to maintain control of the Golan Heights.** The resolution has been referred to the House Foreign Affairs Committee

IV. Iran

(1) Extend Iran Sanctions Act. On May 25, Senators Tim Kaine (D-Virginia) and Chris Murphy (D-Connecticut) introduced **S2988, a bill to extend the sunset of the Iran Sanctions Act (ISA) of 1996 in order to effectuate the Joint Comprehensive Plan of Action in guaranteeing that all nuclear material in Iran remains in peaceful activities.** Extending ISA, with its current waiver authorities, would not violate the Joint Comprehensive Plan of Action (JCPOA) since it does not impose new sanctions. The extension is more about Iran’s nuclear program, and its support for international terrorism, which threatens US foreign policy interests in the region and those of US Middle East allies. Both [The Hill](#) newspaper and [Al Monitor](#) have reported that the Administration does not support the extension of ISA.

V. National Defense Authorization Bill

On June 14 the Senate passed the **National Defense Authorization Act, S2943 (NDAA)**, by a vote of 85-13. The amendment process on the bill came to a halt earlier this week, with both McCain and Senator Lindsay Graham (R-South Carolina) blaming Senator Mike Lee (R-Utah) for refusing to let any other amendments get a vote unless he got a separate vote on his proposal to ban detaining US citizens on US soil.

The vote on final passage occurred after a compromise manager’s amendment by Senator John McCain (R-Arizona) fell apart. McCain excoriated senators ahead of the vote as senators repeatedly blocked other senators from offering their amendments, including: (1) an anti-BDS amendment; and (2) an amendment calling on the US to defund the United Nations Framework Convention on Climate Control following the joining of the Palestinians in the UNFCCC.

Voting against the Defense bill were Republican Senators Mike Crapo (Idaho), Ted Cruz (Texas), Mike Lee (Utah), Rand Paul (Kentucky), Jim Risch (Idaho), and Ben Sasse (Nebraska). Democrats voting against the bill were Senators Harry Reid (Nevada), Kirsten Gillibrand (New York), Patrick Leahy (Vermont), Ed Markey (Massachusetts), Jeff Merkley (Oregon), Ron Wyden (Oregon) and Elizabeth Warren (Massachusetts)



The White House is threatening to veto the Senate version over several of its policy provisions, and issued a 21 page [Statement of Administration Policy](#) stating its objections to the bill, including restrictions on Guantanamo Bay detainee transfers and a cap on the size of the White House National Security Council staff.

The House also passed its version of the NDAA last month. House and Senate members will next meet in a Joint Conference to resolve differences in the House- and Senate-passed versions.

VI. Department of Defense Appropriations Act

On Tuesday, the House Rules Committee met to approve the rules for debate on the **House FY 2017 Defense Appropriations bill, HR5293**. The Committee approved 75 of 108 amendments submitted. Eight of the approved amendments are Middle East related. Following the House Rules action, the full House began debate on the bill on June 15, 2016. On June 16 the House passed the bill by a vote of 282 to 138, after adopting several amendments.

Only two Middle East-related amendments concerning Israel were adopted:

Amendments Adopted:

Israel Cooperative Programs. Submitted by Representative Jerold Nadler (D-New York), the amendment would increase funding by \$10 million for Israeli Cooperative Programs (Iron Dome defense system) and by reducing by \$10 million from the Operation and Maintenance, Defense-Wide account.

Israeli Cooperative Programs. Submitted by Representatives Tom MacArthur (R-New Jersey) and Elise Stefanik (R-New York), the amendment would fund US-Israel Cooperative Directed Energy missile defense research, development, testing, evaluation, and procurement at \$25 million and reduces Missile Defense Agency Headquarters by \$25 million.

Amendments Not Adopted:

Cluster Munitions to Saudi Arabia. Submitted by Representatives John Conyers (D-Michigan), Keith Ellison (D-Minnesota), Raul Grijalva (D-Arizona), Hank Johnson (D-Georgia) Jim McGovern (D-Massachusetts), Ted Lieu (D-California) and Barbara Lee (D-California), the amendment would block funds from being used to transfer or authorize the transfer of cluster munitions to Saudi Arabia. Failed by a vote of 204-216.

Funding for Libya. Submitted by Representative Ted Yoho (R-Florida), the amendment sought to block funds from being used to engage in hostilities in Libya in contravention of the War Powers Resolution. Failed by voice vote.

Authorization for the Use of Military Force (AUMF). Submitted by Representative Barbara Lee (D-California), the amendment would prohibit funding for the 2001 AUMF beginning on April 30, 2017. Failed by a vote of 146 to 274.



Iraq/Syria. Submitted by Representatives Jim McGovern (D-Massachusetts), Walter Jones (R-North Carolina), Barbara Lee, Justin Amash (R-Michigan), and John Garamendi (D-California), the amendment states no funds may be obligated or spent for combat operations in Iraq or Syria after April 30, 2017. Rejected by a vote of 135 to 285.

VII. Terrorism

Terrorist Recruitment. On June 14, Representatives Mike McCaul (R-Texas), Barry Loudermilk (R-Georgia), Chuck Fleischmann (R-Tennessee) and John Katko (R-New York) introduced **HR5471, a bill to combat terrorist recruitment in the United States.** On June 16, the House passed the bill by a vote of 402-15.

The bill was introduced in response to the mass shooting at the Pulse nightclub in Orlando, Florida nightclub on Sunday, June 12, 2016. The legislation would strengthen the partnership between the Homeland Security Department and local law enforcement in countering terrorism inside the US; authorize the Department's Counterterrorism Advisory Board and expand its role in coordinating DHS anti-terrorism activities; and require that DHS use public testimonials of former extremists to combat terrorist recruitment in the United States.

State Sponsors of Terrorism. On June 15, Representatives Ted Yoho (R-Florida), Ed Royce (R-California), Jeff Duncan (R-South Carolina) and Matt Salmon (R-Arizona) introduced HR5484, a bill to modify authorities that provide for rescission of determinations of countries as state sponsors of terrorism. The bill has been referred to the House Foreign Affairs Committee.

VIII. Hearings this Week

(1) Egypt: On June 15, the House Foreign Affairs Subcommittee on the Middle East and North Africa held a hearing to assess the present challenges and opportunities facing US policy in Egypt. Opening statements were given by Chairman Representative Ileana Ros-Lehtinen (R-Florida) and a number of her fellow subcommittee members, all of whom stressed the importance of the long-standing US-Egypt alliance, while also voicing concerns over Egypt's growing security situation and the troubling human rights abuses taking place under President Abdel Fattah al-Sisi. Testimony was then heard from three experts: [Ambassador Mark Green](#) of the International Republican Institute; [Mokhtar Awad](#), a research fellow at George Washington University's Center for Cyber and Homeland Security; and [Amy Hawthorne](#), who is Deputy Director of Research for the Project on Middle East Democracy. The central message from all three witnesses was a sobering one – prospects for a more stable and democratic Egypt in the near-term are grim.

The witnesses spent the majority of their allotted time discussing the issues surrounding US foreign aid to Egypt, the crackdown on civil society and participating NGOs by the Sisi government, and the security void that continues to worsen as Islamic extremist groups expand their foothold inside the country. Ambassador Green began by calling for unilateral skill-building programs that engage democratic actors. In addition, he recommended that the \$500 to \$700 million of pipeline funds



currently tied to Egypt be rechanneled to a more-deserving Tunisia. Mr. Awad mainly addressed the growing presence of terrorists - including those affiliated with the Islamic State - in the northeastern Sinai, the Nile Valley and the Western Desert. And lastly, Ms. Hawthorne used her time detailing the misguided and heavy-handed tactics against the Egyptian citizenry that have come to define the Sisi government. Members then pressed the witnesses for their thoughts on a way forward for US efforts in Egypt. Ambassador Green and Ms. Hawthorne, in particular, stressed the need for greater political space in Egypt. That is, fostering a political environment that allows for alternative political factions, or at a minimum, peaceful dissent, would promote government accountability; it would also help prevent the type of societal repression that so often produces new recruits for violent extremist groups, especially among the Egyptian youth.

Representative Ron DeSantis (R-Florida) would eventually arrive at his seat toward the end of the hearing, immediately shifting the discussion to the Muslim Brotherhood (MB). This led to Ms. Hawthorne doubling down on her earlier assertion that the tactics of the Sisi government are worse than any of its predecessors, including the MB. It was at this moment that proceedings grew tense. Visiting Representative Dana Rohrabacher (R-California) began to shout over Ms. Hawthorne and insisted that the extremist threats faced by the Egyptian government warrant such harsh methods. And moreover, Egypt's human rights record should not be measured against that of Western nations, but rather against other nations of the Arab World. In this context, Rohrabacher argued, the actions of President Sisi's government are comparatively mild. Restoring a more amicable tone to the room, Ranking Member Theodore Deutch (D-Florida) concluded the hearing by reaffirming the bipartisan goal for a secure and democratic Egypt, albeit while acknowledging the lack of a clear strategy for policymakers moving forward.

(2) Libya – On June 15, the Senate Foreign Relations Committee (SFRC) held a hearing on “US Policy toward Libya” with [Jonathan Winer](#), Special Envoy for Libya, Bureau of Near Eastern Affairs, Department of State. A video of the hearing can be viewed [here](#).

Winer was warmly received by SFRC members, despite continuing doubts about the ability of the international community to bring the warring groups together to defeat ISIL. Many Republicans opposed President Obama's decision to intervene in the 2011 uprising against Gadhafi, and see the chaos in Libya as a major policy failure.

Winer told the panel that the US seeks a government with whom it can partner on bilateral and regional objectives, including countering terrorism and illegal migration which threaten security and stability across North Africa and in Europe. To address this, the US has maintained a policy of clear and ongoing support for both the Government of National Accord (GNA) and implementation of the UN-facilitated Libyan Political Agreement which established it. He conceded that much work remained to fully implement the Libya Political Agreement. He regretted the action by a small group of hardliners in the House who have blocked implementation of Agreement by repeatedly blocking a vote to formally endorse the GNA Cabinet and amend the country's Constitutional Declaration.

To reinforce its support for Libya's new UN-backed GNA the US plans to provide \$56 million in assistance for the coming months. Also, the State Department plans to reallocate another \$35



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million to help the political transition in Tripoli. The funds would come in addition to the State Department's \$20.5 million aid request for the fiscal year that starts October 1, 2016.

SFRC Chairman Bob Corker (R-Tennessee) and Ranking Democrat Senator Ben Cardin (D-Maryland) expressed concern over US policy direction for Libya. Corker asserted that, in his view, the US still has a “very, very light touch” in a country that could breed problems far greater than Syria. He questioned whether the US has fully recognized the sense of urgency or seriousness relative to the negativity that can occur if Libya fails. Cardin questioned Winer at length about the need for an Authorization for the Use of Military Force if US troops are sent to Libya. Winer assured Cardin the Administration has no plans to send US troops to Libya beyond those sent for training.