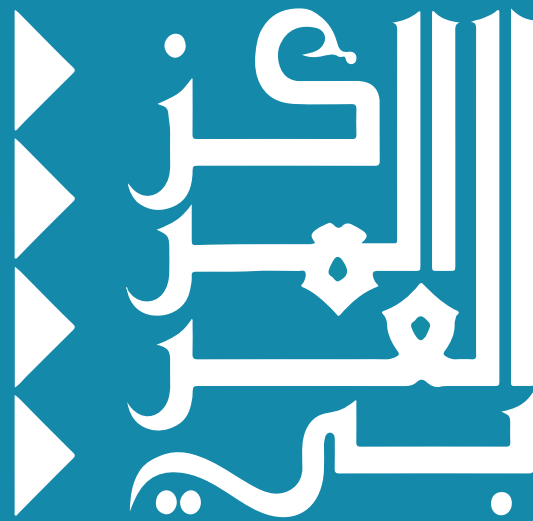


Congressional Update: Week Ending March 31, 2017

ACW Research & Analysis Unit

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Arab Center Washington DC
المركز العربي واشنطن دي سي

I. JASTA Update

On March 28, the law firm of Mayer Brown LLP hosted a webinar focused on recent developments related to the Justice against Sponsors of Terrorism Act (JASTA) and the Anti-Terrorism Act (ATA). Much of the discussion was quite technical and legalistic in nature. The point was made that in the near term, in the current US political environment, there is little chance that the JASTA legislation will be refined or amended in ways that will minimize or prevent frivolous lawsuits in the United States, or lawsuits against the United States and its operators in foreign jurisdictions.

II. Administration Lifts Human Rights Conditions on Arms Sales to Bahrain

On March 29, the Trump Administration informed Congress that it will lift the human rights conditions placed on Bahrain by the Obama Administration, allowing the sale of F-16 fighter jets to proceed. Congress remains divided over the restrictions on Bahrain. Human rights advocates in Congress, such as Representative Jim McGovern (D-Massachusetts), co-chair of the Tom Lantos Human Rights Commission, and Senator Ron Wyden (D-Oregon) oppose the sale; in the last Congress, they introduced a resolution opposing the sale, which was never enacted and died at the end of the 114th Congress. Human rights groups such as Human Rights First, Amnesty International, and Americans for Human Rights and Democracy in Bahrain have lobbied unsuccessfully against the sale. Other members of Congress, however, believe that

such conditions are counterproductive to maintaining security and that there are more effective ways to encourage Bahrain to change its human rights behavior. It is unclear at this point whether McGovern and Wyden will try to stop the sale through a resolution of disapproval, which would not be likely to pass. The opposition to Bahrain is a small and vocal one, but it lacks enough influence to pass a resolution of disapproval.

III. AIPAC Conference

The 2017 AIPAC (American Israel Public Affairs Committee) annual policy conference, held March 26-28, attracted approximately 18,000 attendees who presented unified, bipartisan support for Israel, despite the growing political polarization in the United States and differences over US policy toward Israel. In addition to the plenary session, there were many small break-out sessions focusing on numerous issues in the US-Israel relationship, but none more important than Iran's destabilizing behavior in the region, Vice President Mike Pence was the most senior Trump Administration official who addressed the conference, followed by US Ambassador to the United Nations Nikki Haley, whom the Israeli press called the "rock star" of the conference. Congressional leaders on both sides of the aisle also addressed the conference including Speaker of the House Paul Ryan (R-Wisconsin), Senate Majority Leader Mitch McConnell (R-Kentucky), Senator Minority Leader Chuck Schumer (D-New York), House Majority Leader Kevin McCarthy (R-California), House Minority Whip Steny Hoyer (D-Maryland), and House Minority Leader

Nancy Pelosi (D-California), to name a few. Traditionally, more than half the US Congress attends the annual conference. Statements of other members of Congress who attended can be viewed [here](#).

On the last day of the conference AIPAC members fanned out on Capitol Hill where they held numerous meetings with senators and representatives. The lobbying effort centered on support for legislation imposing sanctions on Iran for its ballistic missile program, and legislation to fight the BDS movement, the two top legislative priorities for AIPAC.

Hundreds of demonstrators gathered outside the conference on the first day; the crowd mostly composed of young American Jewish activists who were part of the group called IfNotNow. Two men from the Jewish Defense League attacked an Arab American teacher who was part of the protest; they were later charged with a hate crime by Washington DC police.

IV. Senate Foreign Relations and House Foreign Affairs Hold Hearings on Iran

On March 28, the Senate Committee on Foreign Relations convened to hear the “View from Congress: US Policy on Iran.” Iran is a source of great disdain for many in Congress and this hearing was held in order to reaffirm the members’ concerns about Iran’s nuclear ambitions and ballistic missile capabilities, the state of the Joint Comprehensive Plan of Action (JCPOA), and continuing support for the Assad regime in Syria and Hezbollah in Lebanon. Testifying before the committee were Michael

Singh, senior fellow at the Washington Institute for Near East Policy (WINEP), and the Honorable Martin Indyk, executive vice president of the Brookings Institution. The witnesses took time in their opening statements to emphasize the need for a comprehensive plan for deterring nefarious Iranian behavior based on a three-point and six-point strategy, respectively.

Singh noted that the United States should focus on preventing the Islamic Republic’s acquisition or production of nuclear weapons, disrupting Iranian efforts to undermine US allies in the region, and thwarting cyber and terror attacks on the United States and its allies. Indyk, on the other hand, addressed much more specific issues. He proposed the United States rigorously enforce the JCPOA, support Iraqi Prime Minister Haider al-Abadi’s government and stabilize the Sunni regions of Iraq, promote a political resolution to the fighting in Yemen, determine a complex strategy for addressing Iran’s ambitions in Syria, build consensus with like-minded allies, and increase leverage against Iran in order to force the regime to the negotiating table.

In total, the opinions of the senators and the witnesses indicated that the United States has a heavy burden when it comes to addressing all the concerns elicited by Iran. The consensus among the members of Congress was represented by the recent introduction of *S722* that moves to sanction Iran for its ballistic missile activity. It was introduced by Senator

Bob Corker (R-Tennessee) and currently has 28 cosponsors.

House Committee on Foreign Affairs, Subcommittee on the Middle East and North Africa: On March 29, the House Foreign Affairs Subcommittee on the Middle East and North Africa convened a hearing on “Testing the Limits: Iran’s Ballistic Missile Program, Sanctions, and the Islamic Revolutionary Guard Corps (IRGC).” The purpose of the hearing was to address Iran’s continued pursuit of developing its ballistic missile program and what can be done to dissuade the regime from belligerent actions. Particularly, the committee wanted to know if sanctions—for both the ballistic missile program and the activities of the IRGC—are allowed under the JCPOA and are even a valuable form of deterrence to the regime. In order to address the actions and possible punishments of the Islamic Republic, the committee heard testimonies from Kenneth Katzman, a specialist in Middle Eastern Affairs for the Congressional Research Service, Michael Eisenstadt, director of the Military and Securities Study Program at WINEP, and Elizabeth Rosenberg, a senior fellow at the Center for New American Security.

The hearing served as an open forum for members to reaffirm their positions on Iran and the JCPOA. As for the witnesses, Dr. Katzman emphasized that in order to understand Iran’s decision-making process in regards to its Intercontinental Ballistic Missile (ICBM) program, the United States must first understand that decisions are determined after

four considerations: Iranian national identity (which is heightened by the production of ICBMs), ideology (this fuels Iran’s desire to empower proxies throughout the region), domestic political dynamics (e.g., Rouhani is a target of hardliners due to the JCPOA), and the notion that the development of ICBMs is a response to perceived threats to the nation. Mr. Eisenstadt agreed that the United States must understand these factors and then form a comprehensive plan of deterrence, including the use of sanctions. Finally, Ms. Rosenberg argued that the United States can pressure Iran by aggressively implementing the sanctions authorized on the procurement and operational aspects of the ballistic missile program. In addition, she stated that the United States should try to expose and target the IRGC for its nefarious activities and, ultimately, should recruit allies in an effort to proceed with multilateral pressure against Iran. The House bill, *HR1698*, imposing sanctions on Iran, currently has 92 cosponsors.

V. House Committee on Foreign Affairs Markup

On March 29, the full House Committee on Foreign Affairs had a markup in order to discuss a combination of nine proposed bills and resolutions, as well as any subsequent amendments to those pieces of legislation. Chairman Ed Royce (R-California) offered the proposals “en bloc” meaning they would be voted on as a whole instead of the committee having to vote on the nine bills individually. Of the nine proposals, three have interesting or

significant measures pertaining to the Middle East.

First, *HRes137*, honoring the life of Shimon Peres: The resolution was introduced by Representative David Cicilline (D-Rhode Island) on February 16, 2017. Surprisingly the resolution has only 48 cosponsors.

Second, *HR390*, Iraq and Syria Genocide Emergency Relief and Accountability Act of 2017, as amended by Representative Chris Smith (R-New Jersey). Introduced by Smith on January 20, 2017, the bill would provide emergency relief to the victims of genocide in Syria and Iraq and calls for actions to be taken to document cases of genocide and crimes against humanity for future prosecution.

Finally, *HRes54* (Representative Albio Sires (D-New Jersey; 14 cosponsors): This non-binding resolution offers Congress's affirmation of the close relationship between the United States and Argentina. It is interesting because the final lines of the proposal encourage the current Argentinian president to continue investigating the 1994 bombing of the Argentine-Israeli Mutual Association (AMIA), which many believe was orchestrated and executed by Iran and Hezbollah.

Of the committee members in attendance, the majority signaled their enthusiastic support of one or all of the aforementioned bills and many signed onto the proposals as cosponsors. The en bloc measures were approved by voice vote. The measures are expected to be considered under the Suspension Calendar, perhaps as

early as next week. A summary of the Committee's actions and amendments can be read [here](#).

VI. Other Legislation of Interest

Prohibit Contributions to the UN (HR1835): Introduced on March 30 by Representative Alex Mooney (R-West Virginia), the bill would prohibit US voluntary and assessed contributions to the United Nations if the United Nations imposes any tax or fee on any US person or continues to develop or promote proposals for such a tax or fee. The bill has been referred to the House Foreign Affairs Committee (HFAC).

Destroy ISIS (HR1785): Introduced on March 29 by Representative Adam Kinzinger (R-Illinois) and 12 bipartisan cosponsors, the bill would require a comprehensive regional strategy to destroy the Islamic State in Iraq and Syria and its affiliates. The bill has been referred to the HFAC, and, in addition, to the Armed Services and Intelligence Committees. The text of the bill is not yet available.

Sanctions on Russia (HR1751): Introduced on March 28 by Representative Alex Mooney (R-West Virginia) with no cosponsors, the bill would impose sanctions in response to cyber-intrusions by the Government of the Russian Federation. The bill has been referred to the HFAC as well as to the Judiciary, Financial Services, Oversight and Government Reform, Armed Services, and the Transportation and Infrastructure Committees.

Anniversary of the Arab Peace Initiative (HRes231): Introduced on March 27 by Representative Alcee Hastings (D-Florida), the resolution celebrates the importance of the 15th anniversary of the Arab Peace Initiative as a meaningful effort by Arab countries to demonstrate their commitment to peace in the Middle East. The resolution has been referred to the HFAC.

Oppose Boycotts Against Israel (S720): Introduced on March 23 by Senator Ben Cardin (D-Maryland), the bill would amend the Export Administration Act of 1979 to include Israel in the prohibitions on boycotts against allies of the United States and boycotts fostered by international governmental organizations against Israel, and to direct the Export-Import Bank of the United States to oppose boycotts against Israel. The bill has been referred to the Banking, Housing and Urban Affairs Committee. An identical bill, ***HR1697***, was introduced in the House by Representatives Peter Roskam (R-Illinois), Juan Vargas (D-California), Lee Zeldin (R-New York), and Brad Sherman (D-California). The bill has been referred to the HFAC and to the Financial Services Committee.

Note: Fighting the BDS movement is one of AIPAC's legislative priorities, in addition to pushing for legislation imposing sanctions on Iran for its ballistic missile program. As noted above, both issues were the focus of AIPAC's lobbying day on Capitol Hill earlier this week.

Supporting US Efforts to Promote Israeli-Palestinian Peace (HRes226): Introduced on

March 23 by Representatives Barbara Lee (D-California) and John Conyers (D-Michigan), the resolution expresses the sense of the House of Representatives regarding US efforts to promote Israeli-Palestinian peace. The resolution has been referred to the HFAC.

VII. At the Think Tanks

The Atlantic Council: On March 27, the Atlantic Council hosted Representative Darrell Issa (R-California) to discuss the state of the US H-1B visa program and his efforts to reform the process. Representative Issa sits on the House Judiciary Committee, which oversees immigration matters, and has proposed a number of reform bills throughout his 16 years in Congress. He noted that should his upcoming H-1B visa bill pass, it would be the first successful effort at reforming immigration statutes that he has seen since arriving on Capitol Hill.

Representative Issa anticipates introducing a bill that differs slightly from ***HR170***, which he introduced earlier this year, and will raise salary threshold requirements and remove the current per country cap for these high-skilled visas. Issa argues that the current price of H-1B visas undercuts the true value of its "high-skill" designation and that the United States should issue such work authorizations to the "best and brightest," compensate them well, and ultimately benefit the companies that hire these individuals and the economy as a whole. When asked about the likelihood of his proposal becoming law, he said he has the support of President Donald Trump and his colleagues in

the Senate and is confident it will eventually make it to the president's desk to become law. If this is the case, those who are highly educated and have desired technical skills could find themselves struggling to find opportunities in the United States because some companies may shy away from sponsoring this visa if they legally have to pay those employees a minimum of \$100,000 per year (as Issa's former bill required).

The Atlantic Council: On March 28, the Atlantic Council hosted an event on the Russian military on "The Russian Military in Ukraine and Syria: Lessons for the United States." Alexander Golts, deputy editor-in-chief of the *Weekly Journal* and Ret. Army Brig. Gen. Peter Zwack joined the Atlantic Council Eurasia Center's John Herbst and Ariel Cohen to explain very technical matters of Russia's military. They also addressed the Russian regime's military goals, capabilities, and strategies in Eastern Europe and the Middle East.

While the discussion on Ukraine was pertinent for understanding Russia's geopolitical ambitions, the four experts spent a great portion of their time discussing not just Russia's role in Syria, but the regime's relationships with Middle Eastern powers, Iran and Turkey, and its hope for expanding influence to Egypt, Libya, and Yemen. The speakers all seemed to agree on two main points about Russia's aspirations in the Middle East. First, the Russians have and continue to seek relationships with countries in the region that have considerable influence and that have had

chilly or outright hostile relations with the United States over the last few years (i.e., Iran, Turkey, and Egypt). Second, these relationships are strategic for Russia to expand its influence and military capacity in the conflicts in Syria, Yemen, and Libya. The speakers concluded that it is necessary for the United States to understand these underlying motivations for the Russian regime and appropriately work with Russia to deescalate the war in Syria. Russia is seeking to reassert itself as a power player in the region and, while that jeopardizes US national security priorities, the two countries must have a mutual understanding in order to avoid starting a full-scale war between the nuclear powers.

Hoover Institution: On March 28, the Hoover Institution's National Security, Technology & Law Working Group hosted a discussion as part of its Security by the Book series. For the latest event, the Hoover Institution's Samuel Tadros interviewed Graeme Wood on his new book, *The Way of the Strangers: Encounters with the Islamic State*. Wood, a contributing editor at *The Atlantic* and lecturer in political science at Yale University, traveled the world interviewing recruiters and supporters of the Islamic State.

A great deal of the discussion was centered around Wood's character studies and analyses, but Wood served as an authoritative source of insight into the larger phenomenon of the Islamic State's early successes and the prospects of its future demise. Tadros described the book as providing a western audience with a clear understanding of a new breed of terrorists, and

that it is an undertaking comparable to Lawrence Wright's al-Qaeda analysis in *The Looming Tower*. With Tadros leading the way, Wood described the strategy, psychology, theology, and emotional appeal of the terrorist organization. Ultimately, his book could prove

to be the definitive account that informs western observers about the baffling allure of a violent, murderous movement that has persuaded thousands to upend the lives they knew and join the group's cause.

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