



## Congressional Update April 29, 2016

**Note:** Congress will recess at the end of the week. The House will return on Tuesday, May 10, the Senate will return on Monday, May 9. The next Congressional Update will be on May 13.

### I. Palestine

On April 19, the Obama Administration released \$108 million in assistance to the Palestinian Authority. House Foreign Affairs Committee Chairman Ed Royce (R-California), and House Appropriations State, Foreign Operations Chairman Kay Ganger (R-Texas) had placed a hold on \$159 million in assistance since last fall, to protest the Palestinians' UN statehood bid and payments to families of people who allegedly conduct terrorist attacks against Israelis. Most of the holds were lifted leaving only \$51 million in blocked assistance. Reportedly, the release of the funds had been the subject of discussion between the Administration and Congress. Representative Ileana-Ros Lehtinen (R-Florida) supported lifting the hold, but would like to see restrictions placed on assistance to the Palestinians in the FY 2017 State, Foreign Operations Appropriations bill, now under consideration by Granger's Subcommittee.

### II. Mideast Provisions in the FY 2016 State Department Authorization bill and the FY 2017 National Defense Authorization Act.

**(1) State Department Authorization (S1635).** The bill was introduced last year, June 18, 2015 by Senate Foreign Relations Committee (SFRC) Chairman Bob Corker (R-Tennessee), **the Department of State Operations Authorization and Embassy Security Act, Fiscal Year 2016.** On April 28, 2016, the bill was considered by the full Senate, passed by Unanimous Consent and referred to the House for its consideration. The bill was a priority for SFRC Chairman Corker to re-establish what had traditionally been an SFRC oversight vehicle at a time when many members of Congress feel the Administration is not giving sufficient weight to congressional concerns. There are several Middle East provisions in the bill.

Section 119: "Strategy for the Middle East in the event of a comprehensive nuclear agreement with Iran." This section requires the Administration to submit to Congress a detailed strategy for the US in the Middle East, including: (1) efforts to counter Iranians-sponsored terrorism in the Middle East region; (2) efforts to reassure US allies and partners in the Middle East; and (3) Efforts to address the potential for a conventional or nuclear arms race in the Middle East.

Section 122: "Sense of Congress on anti-Israel and anti-Semitic incitement within the Palestinian Authority (PA)". This section condemns such incitement and urges President Abbas and the PA to discontinue all official incitement that runs contrary to the determination to put an end to decades of confrontation. This issue has been raised in



numerous hearings before the House Foreign Affairs and Senate Foreign Relations Committee.

Section 301: “Reports concerning the United Nations”. This section requires a report on “Anti-Semitic Activity at the UN and its agencies, including: (1) all activities at the UN and its sub-agencies that can be construed to exhibit an anti-Semitic bias, including official statements, proposed resolutions, and UN investigations; (2) the use of UN resources to promote anti-Semitic or anti-Israel rhetoric or propaganda, including political rhetoric regarding the Israeli-Palestinian conflict; and (3) specific actions taken by the US Government to address any of the activities described in paragraphs 1 and 2.

S1635 also contains a requirement for the Secretary of State to submit a report to Congress on the Government of Bahrain’s implementation of the Bahrain Independent Commission of Inquiry (BICI) recommendations, similar to the requirement included in the FY2016 Omnibus Appropriation Act.

**(2) National Defense Authorization Act (HR4909).** The House Armed Services Committee (HASC) completed a two-day markup of **HR4909 of the National Defense Authorization Act (NDAA) for Fiscal Year 2017**. The bill authorizes \$610 billion for defense spending. The HASC voted overwhelmingly to approve the bill, which has been placed on the House calendar. The bill includes numerous Middle East-related provisions:

Section 1222: “Modification and extension of authority to provide assistance to counter the Islamic State of Iraq and the Levant.” As worded, the term violent extremist organization means an organization that is a foreign terrorist organization designated by the Secretary of State under section 219 of the Immigration and Nationality Act or is associated with a foreign terrorist organization; or is known to be under the command and control of, or is associated with the Government of Iran.

Section 1224: “Report on prevention of future terrorist organizations in Iraq and Syria. The required report is to describe the political, economic, and security conditions in Iraq and Syria that would be necessary and sufficient to prevent the formation of future terrorist organizations in Iraq and Syria that may present a danger to the US, its allies and the stability of Iraq, Syria and the rest of the Middle East region.

Section 1241: “Sense of Congress on malign activities of the Government of Iran”. The section stipulates that it is the sense of Congress that the Joint Comprehensive Plan of Action (JCPOA) does not address the malign activities of the Government of Iran, including ballistic missile launches, support for designated foreign terrorist organizations, or other proxies conducting malign activities in the region and globally. It also states that the U.S. “should increase its efforts to counter the continued expansion of malign activities of the Government of Iran in the Middle East” and “should ensure that it has robust, enduring military posture and capabilities forward deployed in the Arabian Gulf region to deter Iranian aggression and respond to Iranian aggression, if necessary.” Finally, it states that the U.S. “should strengthen



ballistic missile defense capabilities and increase security assistance to United States partners and allies in the region.”

Section 1253: “Modification of annual report on military power of Iran”. This section adds two new clauses to a report already required. It adds a new section (E) clause which calls on the Administration to provide an estimate of Iran’s military cyber capabilities, including persons and entities operating on behalf of Iran, and any information on those persons or entities responsible for targeting United States critical infrastructure or United States persons or entities; and (F) information on Iranian military and security organizations responsible for detaining members of the United States Armed Forces or interfering in United States military operations.

Section 1653: “Iron Dome short-range rocket defense system and Israeli cooperative missile defense program co-development and co-production. This section authorizes up to \$62 million for the Israeli government to procure Tamir interceptors for the Iron Dome short-range rocket defense system. It also authorizes up to \$150 million to the Israeli government to procure David’s Sling Weapon System and up to \$120 million to the Israeli government for the Arrow Upper Tier Interceptor Program. All of this funding is separate from and in addition to the \$3.1 billion in Foreign Military Financing (FMF) provided to Israel under the State, Foreign Operations Appropriation bill.

### III. Israel

***Protecting Israel’s Coastline and Natural Gas Fields.*** On April 26, Representatives Brian Higgins (D-New York) and Barry Loudermilk (R-Georgia), introduced **HR5066, a bill to authorize the President to provide assistance to Israel to protect the coastline and natural gas field located in the exclusive economic zone of Israel**”. The bill has been referred to the Committees on Foreign Affairs (HFAC) and on Armed Services (HASC).

### IV. Hearings

***Lebanon.*** On April 28 the House Foreign Affairs Committee’s Subcommittee on the Middle East and North Africa held a hearing entitled “US Policy Toward Lebanon” with Gerald [Feierstein](#), Principal Deputy Assistant Secretary of State for Near Eastern Affairs, and Andrew [Exum](#), Deputy Assistant Secretary of Defense for Middle East Policy. Video of the hearing is [here](#).

Subcommittee Chairman Ileana Ros-Lehtinen (R-Florida) called the hearing to hear the Administration’s assessment of the relationship between Iran and Lebanon and more specifically, between Hizballah and the Lebanese Armed Forces (LAF). She also wanted answers on how the Administration’s Lebanon policy meshes with the fight against ISIS and the conflict in Syria and the Syrian humanitarian crisis. More important to Ros-Lehtinen wanted assurances that the spillover from Lebanon does not threaten Israel. Subcommittee



members shared Ros-Lehtinen's concerns about Hizballah, the LAF, and the impact of Saudi withdrawal of funding for the LAF, and the Syrian refugee situation.

### Testimony

Secretary Feierstein acknowledged the panel's concerns, including Iran's support for Hizballah much to the detriment of Lebanon. He listed the three critical challenges facing Lebanon today. First, the spillover effects of the Syrian conflict, including refugee flows into Lebanon and security threats such as ISIL and the Nusra Front. Second, Hizballah's terrorist activities that places the Party's own interests and those of its backers above those of the Lebanese people. Third, a political crisis that has nearly paralyzed government decision-making. He thanked Congress for its continued support and for passing the Hizballah International Financing Prevention Act (HIFPA) last December.

Feierstein and Exum defended the Administration's Lebanon policy, which is to ensure that the Lebanese security forces have the tools required to prevent ISIL from destabilizing the country while helping build legitimate state institutions in order to deny Hizballah what it wants to avoid: a strong central government capable of providing services for the entire country. The current strategy – building on US security assistance programs begun in 2005 – is “bearing fruit”. Lebanon is an active partner in the global coalition to combat ISIL and is now confronting them along the Lebanese-Syrian border. To counter Hizballah, the US is actively implementing the HIFPA and Treasury's Office of Foreign Assets Control (OFAC) issued regulations required by the Act on April 15. Feierstein also called on the Lebanese Parliament to meet and elect a president according to the Lebanese Constitution.

**Counter-ISIL Operations.** On April 28, the Senate Armed Services Committee held a hearing to examine counter-ISIL operations and Middle East Strategy. Testimony was received from Secretary of Defense Ashton Carter, and Chairman, Joint Chiefs of Staff General Joseph Dunford, Jr., USMC

### V. Terrorism

**(1) Combating Terrorist Recruitment Act of 2016.** On April 26, the House passed **HR4820**, a bill to require the Secretary of Homeland Security to use the testimonials of former or estranged violent extremists or their associates in order to counter terrorist recruitment by a vote of 322 to 79. The House agreed to amend the title to read: “To Require the Secretary of Homeland Security to use the testimonials of former violent extremists or their associates in order to counter terrorist recruitment, and for other purposes.”

**(2) Terrorist Attacks in Brussels.** On April 27, Senators Bob Corker (R-Tennessee) and Ben Cardin (D-Maryland) introduced **SRes442, a resolution condemning the terrorist attacks in Brussels and honoring the memory of the United States citizens murdered in those**



attacks, and offering thoughts and prayers for all victims, condolences to their families, resolve to support the Belgian people, and the pledge to defend democracy and stand in solidarity with the country of Belgium, and all our allies in the face of continuing terrorist attacks on freedom and liberty. The resolution has been referred to the Senate Foreign Relations Committee (SFRC). On April 28, the SFRC approved the resolution by voice vote.

***War Crimes by ISIS.*** On April 28 the SFRC, by voice vote, approved SRes340 expressing the sense of Congress that the so-called Islamic State in Iraq and al-Sham (ISIS or Da'esh) is committing genocide, crimes against humanity, and war crimes, and calling upon the President to work with foreign governments and the United Nations to provide physical protection for ISIS' targets, to support the creation of an international criminal tribunal with jurisdiction to punish these crimes, and to use every reasonable means, including sanctions, to destroy ISIS and disrupt its support networks, with an amendment in the nature of a substitute.

## VI. Religious Freedom

***Amendment to the International Religious Freedom Act of 1998.*** On April 28 Senators Marco Rubio (R-Florida), John Cornyn (R-Texas) and Roy Blunt (R-Missouri), introduced S2878, a bill to amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhance diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide. The bill has been referred to the SFRC.

Representative Chris Smith (R-New Jersey) introduced the Frank R. Wolf International Religious Freedom Act in the House last year as **HR1150**. The Senate companion bill reflects the amended version of HR 1150 that emerged from a House Foreign Affairs Committee markup in April. Notable aspects of the Senate legislation include:

- Empowerment of the International Religious Freedom Office within the organizational structure of the State Department. The Ambassador-at-Large for International Religious Freedom would report directly to the Secretary of State.
- Country of Particular Concern (CPC) designations would occur on an annual basis.
- Creation of a “Special Watch List” and automatic downgrade to CPC status for countries on the list for three straight years.
- Designation of non-state actors as “Entities of Particular Concern”.
- The President would be directed to sanction individuals responsible for religious restrictions.



-- Prioritized support to groups working to strengthen investigations, reporting, and monitoring of religious freedom violations, including genocide against religious minorities.

USCIRF recommends a more expansive set of CPC designations than have been adopted by the State Department. In the USCIRF system, Saudi Arabia, Iran, Iraq, Egypt, and Syria are Tier 1 CPC, while Bahrain is a monitored country; of those, only Saudi Arabia and Iran have been designated by State.

***Commission on International Religious Freedom.*** On April 27, the US Commission on International Religious Freedom submitted its annual report to Congress as required by the International Religious Freedom Act of 1998.