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SUPPORTING THE DEMOCRATIC AND EUROPEAN ASPIRATIONS OF THE PEOPLE OF UKRAINE, AND THEIR RIGHT TO CHOOSE THEIR OWN FUTURE FREE OF INTIMIDATION AND FEAR; AND THE UNITED STATES–ISRAEL STRATEGIC PARTNERSHIP ACT OF 2013

MARKUP

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRTEENTH CONGRESS

SECOND SESSION

ON

H. Res. 447 and H.R. 938

JANUARY 29, 2014

Serial No. 113–105

Printed for the use of the Committee on Foreign Affairs

Available via the World Wide Web: http://www.foreignaffairs.house.gov/ or http://www.gpo.gov/fdsys/

U.S. GOVERNMENT PRINTING OFFICE

86–467PDF WASHINGTON : 2014

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2104 Mail: Stop IDCC, Washington, DC 20402–0001

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SUPPORTING THE DEMOCRATIC AND EUROPEAN ASPIRATIONS OF THE PEOPLE OF UKRAINE, AND THEIR RIGHT TO CHOOSE THEIR OWN FUTURE FREE OF INTIMIDATION AND FEAR; AND THE UNITED STATES–ISRAEL STRATEGIC PARTNERSHIP ACT OF 2013

WEDNESDAY, JANUARY 29, 2014

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 9:41 a.m., in room 2172, Rayburn House Office Building, Hon. Ed Royce (chairman of the committee) presiding.

Chairman ROYCE. This meeting will come to order. We will ask all members to take their seats.

And pursuant to notice, we meet today to mark up two strongly bipartisan measures. Without objection, all members may have 5 days to submit statements for the record and also to submit any extraneous materials on any of today's business. And I am going to remind members that we will soon face votes on the floor.

We now call up House Resolution 447, the ranking member's Ukraine resolution. The clerk will report the title of the bill.

Ms. MARTER. H. Res. 447, Supporting the democratic and European aspirations of the people of Ukraine, and their right to choose their own future free of intimidation and fear.

"Whereas a democratic, prosperous, and independent Ukraine is in the national interest of the United States;

"Whereas closer relations with the European Union through the signing of an Association Agreement will promote democratic values"——

Chairman ROYCE. Without objection, the measure is considered read.

The Engel amendment in the nature of a substitute that was provided to your offices Monday morning is considered base text for the purposes of the markup.

[The information referred to follows:]

IV

113TH CONGRESS
1ST SESSION

H. RES. 447

Supporting the democratic and European aspirations of the people of Ukraine, and their right to choose their own future free of intimidation and fear.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2013

Mr. ENGEL (for himself, Mr. ROYCE, Mr. LEVIN, Ms. KAPTUR, Mr. KEATING, and Mr. GERLACH) submitted the following resolution; which was referred to the Committee on Foreign Affairs

---

RESOLUTION

Supporting the democratic and European aspirations of the people of Ukraine, and their right to choose their own future free of intimidation and fear.

Whereas a democratic, prosperous, and independent Ukraine is in the national interest of the United States;

Whereas closer relations with the European Union (EU) through the signing of an Association Agreement will promote democratic values, good governance, and economic opportunity in Ukraine;

Whereas millions of Ukrainian citizens support closer relations with Europe and the signing of an Association Agreement;

Whereas the Government of Ukraine has declared integration with Europe a national priority and has made significant

progress toward meeting the requirements for the Association Agreement;

Whereas Ukraine has the sovereign right to enter into voluntary partnerships of its choosing, in keeping with its interests;

Whereas Ukraine's closer relations with the EU do not threaten any other country, and will benefit both Ukraine and its neighbors;

Whereas on November 21, 2013, following several months of intense outside pressure, Ukrainian President Viktor Yanukovych abruptly suspended negotiations on the Association Agreement one week before it was due to be signed at the EU's Eastern Partnership Summit in Vilnius, Lithuania;

Whereas this reversal of stated government policy precipitated demonstrations by hundreds of thousands of Ukrainian citizens in Kyiv as well as in cities throughout the country;

Whereas the demonstrators have been overwhelmingly peaceful and have sought to exercise their constitutional rights to freely assemble and express their opposition to President Yanukovych's decision, as well as their support for greater government accountability and closer relations with Europe;

Whereas on November 30, 2013, police violently dispersed peaceful demonstrators in Kyiv's Independence Square, resulting in many injuries and the arrest of several dozen individuals;

Whereas on December 11, 2013, police raided 3 opposition media outlets and the headquarters of an opposition party;

Whereas on December 11, 2013, despite President Yanukovych's statement the previous day that he would engage in talks with the opposition, police attempted to forcibly evict peaceful protesters from central locations in Kyiv; and

Whereas United States, European, and other leaders, as well as 3 former presidents of Ukraine, have urged restraint and warned against the use of violence against peaceful protesters, and have called for dialogue with the opposition to resolve the current political and economic crisis: Now, therefore, be it

Resolved, That the House of Representatives—

(1) greatly values the warm and close relationship the United States has established with Ukraine since that country regained its independence in 1991;

(2) supports the democratic and European aspirations of the people of Ukraine, and their right to choose their own future free of intimidation and fear;

(3) calls on the United States and the European Union to continue to work together to support a peaceful resolution to the crisis, and to continue to support the desire of millions of Ukrainian citizens for closer relations with Europe through the signing of an Association Agreement, as well as for a democratic future;

(4) urges the Government of Ukraine, Ukrainian opposition parties, and all protesters to exercise the utmost restraint and avoid confrontation, and calls on the Government of Ukraine to live up to its international obligations and respect and uphold the democratic rights of its citizens, including the freedom of assembly and expression, as well as the freedom of the press;

(5) calls on the Government of Ukraine to bring to justice those responsible for violence against peaceful protesters, and to release and drop criminal charges against those detained for exercising their democratic rights;

(6) urges the United States and the European Union to continue to make clear to Ukraine's leaders that those who authorize or engage in violence against peaceful protesters will be held personally accountable;

(7) states that in the event of further violence by government authorities against peaceful protesters, the United States House of Representatives may consider targeted sanctions against those who authorize or engage in this use of force; and

(8) urges all parties to engage in constructive, sustained dialogue in order to find a peaceful solu-

1 tion to Ukraine's current political and economic cri-
2 sis.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 447 OFFERED BY MR. ENGEL OF NEW YORK

Strike the preamble and insert the following:

Whereas a democratic, prosperous, and independent Ukraine is in the national interest of the United States;

Whereas closer relations with the European Union (EU) through the signing of an Association Agreement should promote democratic values, good governance, and economic opportunity in Ukraine;

Whereas the Government of Ukraine has declared integration with Europe a national priority and has made significant progress toward meeting the requirements for the Association Agreement;

Whereas on November 21, 2013, following several months of intense outside pressure, Ukrainian President Viktor Yanukovych abruptly suspended negotiations on the Association Agreement one week before it was due to be signed at the EU's Eastern Partnership Summit in Vilnius, Lithuania;

Whereas this reversal of stated government policy precipitated demonstrations by hundreds of thousands of Ukrainian citizens in Kyiv as well as in cities throughout the country;

Whereas the demonstrators have been overwhelmingly peaceful and have sought to exercise their constitutional rights

to freely assemble and express their opposition to President Yanukovych's decision;

Whereas the demonstrators have consistently expressed their support for democracy, human rights, greater government accountability, and the rule of law, as well as for closer relations with Europe;

Whereas on November 30, 2013, police violently dispersed peaceful demonstrators in Kyiv's Independence Square, resulting in many injuries and the arrest of several dozen individuals;

Whereas on December 11, 2013, police raided 3 opposition media outlets and the headquarters of an opposition party;

Whereas on December 11, 2013, despite President Yanukovych's statement the previous day that he would engage in talks with the opposition, police attempted to forcibly evict peaceful protesters from central locations in Kyiv;

Whereas several journalists, including from Radio Free Europe/Radio Liberty, and civic activists supporting the demonstrators have been brutally attacked;

Whereas on January 16, 2014, the Ukrainian parliament passed, and President Yanukovych signed, legislation which severely limits the right of peaceful protest, constrains freedom of speech and the independent media, and unduly restricts civil society organizations;

Whereas the passage of these undemocratic measures and President Yanukovych's refusal to engage in substantive dialogue with opposition leaders precipitated several days of violence and resulted in several deaths and hundreds

of injuries, as well as numerous allegations of police brutality; and

Whereas United States, European, and other leaders have urged all sides to exercise restraint and have warned the Ukrainian Government against the use of violence against peaceful protesters, and have further called on the government to engage in substantive dialogue with the opposition to resolve the current political and economic crisis: Now, therefore, be it

Strike all after the resolving clause and insert the following:

That the House of Representatives—

1 (1) greatly values the warm and close relation-
2 ship the United States has established with Ukraine
3 since that country regained its independence in
4 1991;
5 (2) supports the democratic and European aspi-
6 rations of the people of Ukraine, and their right to
7 choose their own future free of intimidation and
8 fear;
9 (3) calls on the United States and the Euro-
10 pean Union to continue to work together to support
11 a peaceful resolution to the crisis, and to continue
12 to support the desire of millions of Ukrainian citi-
13 zens for democracy, human rights, government ac-

countability, and the rule of law, and closer relations with Europe;

(4) urges the Government of Ukraine, Ukrainian opposition parties, and all protesters to exercise the utmost restraint and avoid confrontation, and calls on the Government of Ukraine to live up to its international obligations and respect and uphold the democratic rights of its citizens, including the freedom of assembly and expression, as well as the freedom of the press;

(5) condemns all acts of violence and calls on the Government of Ukraine to bring to justice those responsible for violence and brutality against peaceful protesters, and to release and drop any criminal charges against those detained for peacefully exercising their democratic rights;

(6) calls on President Yanukovych and the Parliament of Ukraine to rescind immediately the measures adopted on January 16, 2014, and restore full democratic protections and fundamental rights to Ukrainian citizens, and urges President Yanukovych to engage in substantive talks with opposition leaders to address the legitimate grievances of the opposition;

(7) urges the United States and the European Union to continue to make clear to Ukraine's leaders that those who authorize or engage in violence against peaceful protesters will be held personally accountable;

(8) supports the measures taken by the Department of State to revoke the visas of several Ukrainians linked to the violence, and encourages the Administration to consider additional targeted sanctions against those who authorize or engage in the use of force; and

(9) urges all parties to engage in constructive, sustained dialogue in order to find a peaceful solution to Ukraine's current political and economic crisis.

Chairman ROYCE. It is open for amendment at any point, and after my brief remarks, I am going to recognize the ranking member and then any other member seeking recognition to speak on this resolution.

Ukraine is a country of quite strategic significance for us in the United States. Its stability, its continued economic development are very important to our national interests. The Ukrainian people's determination to ensure basic human rights and freedom for themselves and their country has been inspiring. It is a country with a long tortured history.

The determination that we have seen there is being demonstrated by the hundreds of thousands of Ukrainian citizens who have peacefully taken to the streets in defense of their rights. This protest movement began with the decision by President Yanukovych not to deepen economic engagement with the European Union, but it has since become a struggle between those who want a democratic future based on the rule of law for Ukraine and those who are prepared to use violence to turn back the clock. And in this particular resolution, we call upon all factions to ratchet down the use of any violence.

Events are changing by the hour, at times threatening a dissent into chaos and at others offering the possibility of a peaceful resolution to the crisis. This resolution comes at a decisive moment in that contest.

I commend the ranking member for his efforts to ensure that the Congress clearly state our support for a peaceful outcome to this crisis. He is an individual who has had a great deal of focus since the fall of the Berlin Wall, frankly, on the Ukraine, and knows from personal experience the costs of the tortured history of the Ukraine. His own grandmother disappeared there during those turbulent times, and many, many Americans now turn their focus on what they can do in order to try to bring some order out of this chaos so that the hopes and aspirations of the people of the Ukraine for democracy can truly be realized.

Mr. Engel.

Mr. ENGEL. Mr. Chairman, thank you so much for holding this markup today and, as I always like to point out, for working with us in a bipartisan manner on both of the measures under consideration.

I strongly support H. Res. 447, a bipartisan resolution I authored that supports the democratic and European aspirations of the people of Ukraine and their right to choose their own future.

As a longstanding advocate of a democratic, prosperous, and independent Ukraine, I was very disappointed by the Ukrainian Government's decision last November to reject an offer from the European Union for closer economic and political ties. This decision derailed years of hard work as well as the prospects for long-term economic growth and stronger democratic institutions that would result from enhanced relations with the European Union. More immediately, it sparked massive demonstrations in Kyiv and throughout the country. Hundreds of thousands of Ukrainians have come out in the streets to show their support not only for closer relations with Europe but also more fundamentally for democracy, more accountable government, human rights and basic human dignity.

The fact that the protests have been overwhelmingly peaceful makes them all the more impressive. Unfortunately, there have been exceptions, including police violence on several occasions in November and December, the beatings and abductions of journalists and civil society activists, and the most recent and tragic violence following the January 16th passage of antidemocratic laws by Ukraine's Parliament. I strongly condemn all acts of violence. It is imperative that all sides exercise restraint and avoid confrontation.

My sympathies are certainly with the demonstrators, but I think we have to monitor the situation carefully because allegations of anti-Semitic acts and plays coming from some of the demonstrators is very disturbing, and of course, we will not stand for that. Individuals must behave responsibly, and the authorities in particular must respect and uphold the democratic rights of all citizens. And those who authorize or engage in violence should be held personally accountable for their actions, including by targeted sanctions, if appropriate. That is why I welcome the recent actions by the Department of State to revoke the visas of several individuals linked to the violence. Following the dramatic increase in tensions this month, the most recent developments in Ukraine give some cause for hope. I welcome the repeal of most of the antidemocratic measures and the fact that meaningful talks appear to have begun between the government and opposition leaders, but the situation in Ukraine remains very volatile and more needs to be done.

I have a particular interest in Ukraine since my four grandparents were born there. They left for America 100 years ago and more, and again, I think that a number of us are very concerned with some of the anti-Semitic rants we have heard from some of the demonstrators who otherwise seem to be well-intentioned.

I commend the efforts of the administration and our European partners to de-escalate tensions and believe that we must remain engaged, and once again, at this critical moment of Ukraine's history I urge all parties to continue the substantive and sustained dialogue that is essential to resolve the crisis and address the desire of millions of Ukrainian citizens for a democratic European future.

Thank you, Mr. Chairman.

Chairman ROYCE. We thank the ranking member not only for his long engagement and leadership on this issue, but also this legislation.

Do any other members seek recognition? Mr. Smith?

Mr. SMITH. Mr. Chairman, thank you very much, and I wanted to thank you for again bringing up in a very bipartisan way resolutions that reflect very deeply held convictions on the part of Members of both sides of the aisle.

I want to thank Mr. Engel, the ranking member, for sponsoring this. I think it really raises an issue at an extremely important time. I was in the Ukraine last year. I was in Kyiv. There are areas where we have had cooperation with the Yanukovych government, especially with his Foreign Minister, who was the chair at office for the OSCE (the Organization for Security Cooperation in Europe). I was actually there on an anti-human-trafficking effort, and it was like I said, tremendous cooperation, but on the whole list of human rights concerns, the Yanukovych government has fallen far short,

and the people who are demonstrating, as you pointed out so correctly, Mr. Chairman, on the Maidan, this isn't just about European integration or taking steps in that direction. It is far larger. Basic fundamental human rights need to be respected, freedom of the press. We still have a number of outstanding political prisoners that need to be released, so I think, again, this raises the issue at a very timely time that we stand in solidarity with the people who are on the streets, and I want to especially note and underscore with emphasis how strong the church is and the churches and the other parts of the faith community in saying no violence. They have literally, many of the bishops, the metropolitans and others, stood right in the crosshairs of what could have been a very violent situation to admonish the leadership and the guys with the guns not to shoot. So that shows tremendous courage. Wonderful resolution.

Chairman ROYCE. Thank you, Mr. Smith.

Mr. Cicilline.

Mr. CICILLINE. Thank you, Mr. Chairman. I want to thank you and Ranking Member Engel for your leadership and for the bipartisan manner in which we are marking up these bills today. In particular, I would like to thank the committee for this vote on House Resolution 447, Supporting the democratic and European aspirations of the people of Ukraine and the right to choose their own future free of intimidation and fear.

The resolution stresses the importance of the adoption of democratic social norms in Ukraine and in the region and supports the democratic aspirations of the people of the Ukraine. Over the past several years, we have seen some impressive improvements in human rights. However, the situation for lesbian, gay, bisexual, and transgender individuals continues to be a cause for concern. The rampant and unacceptable state-sponsored homophobia we are witnessing in neighboring Russia is slowly invading Ukraine as well. Russian President Putin's allies in Kyiv have sought to introduce similar legislation in the Ukrainian Rada to ban so-called homosexual propaganda, which does nothing more than limit the fundamental freedoms of association, speech, and assembly for all Ukrainians, regardless of sexual orientation or gender identity.

Ukrainian authorities have a clear choice to make. They can move closer to the European Union, toward openness, prosperity, and the rule of law or they can return to the old days when the only rule that mattered was the rule from Moscow. I commend the committee for bringing this important resolution forward. The citizens of Ukraine, including her LGBT citizens, deserve much, much better, and they should know we stand with them. I again thank you, Chairman and Ranking Member, for moving this important piece of legislation forward. I look forward to its passage.

I yield back.

Chairman ROYCE. Mr. Rohrabacher.

Mr. ROHRABACHER. Well, I hate to be the only one opposing this, but I think that honesty requires us sometimes to step forward and say that certain things aren't true that everybody seems to accept.

We are talking about the rule of law. Who won the last election in Ukraine? The people who won the last election in Ukraine are the ones who should be making policy in Ukraine. Our resolution here suggests that the people are very upset because their Presi-

dent abruptly suspended negotiations when talking about joining the EU or going in that direction.

How do we know what demands were made on that President? Are we backing up some big European banking system that made some demand on the Ukraine? Is that what we are doing? We don't even know why they abruptly ended that negotiation, and all we know is that that government was elected by the people of the Ukraine, and now we are siding with people who want to superimpose their positions on Ukraine.

If they don't like the policies of this government, they should elect another government the next time they get a chance and reverse the policy, and instead they have been in the streets trying to use brute force, and who says that the government was the first one to use violence in this? We don't know that. I have been watching this situation as closely as anybody. And for all we know, the demonstrators, there were people in the demonstrations, and Eliot has already mentioned that there are some rogue elements in this whole confrontation. On the side of the demonstrators, there are pretty unsavory people, just as we know in the government they have got a bunch of unsavory people there as well.

The question is, should the United States Government be telling them that joining the EU is what is good for them, no matter what demands the EU is making on Ukraine? Let's quit trying to tell these people what to do. You want the rule of law? Let's talk about the rule of law. I mean, how can we pass a thing on the rule of law when the rule of law has that elected government making the decision, and we are trying to tell them not to let the elected government make the decision; let demonstrators in the street do it instead.

Now, if we were calling on the Government of Ukraine to have a referendum on the EU, I would be supporting that resolution. That, indeed, would be a democratic solution to that, and whoever is opposing it, I would think they are making the wrong decision in Ukraine, but let's be for the rule of law. Let's not try to superimpose our vision, yeah, Ukraine should be more aligned with the EU than with some Russian economic federation. Let's—we can't superimpose our values like that, our decisions on them. If we do, we are contradicting our own basic concept of the rule of law and the democratic process.

We need to do a lot of thinking about this resolution, and I am sorry to have to put this in everybody's face because I can see everybody wants to do this, this is the popular thing, this is what makes you look, look, I am so concerned about freedom when, in fact, the substance of what we are doing is against the rule of law and against permitting the people of Ukraine to make their decisions through the democratic process. And we should condemn violence on both sides, which I imagine this does. I will be opposing this resolution.

Chairman ROYCE. If I could respond as chairman because the gentleman from California has raised some points that, indeed, you have a duly elected government in the Ukraine, but at the same time, one of the questions before us is if a government does not go through regular order but, instead, suspends the rights or the liberties of people through a process whereby that government takes

the executive branch and utilizes the executive branch for what should have gone through the Parliament in order to strip citizens, from their perspective, of their basic rights—in other words, if you have antidemocratic measures that are put in place by executive fiat or by promulgation only from the Presidency and they are not ratified by the Parliament, you can see why this becomes a more confusing issue, and that is why I think at the end of the day, the fact that the resolution calls for restraint on all factions, basically the thrust of the resolution is to try to get back toward leverage for a resolution based upon nonviolence, based upon consultation, based upon not going out into the streets, either the military or the protesters in order to get back to some semblance of an environment in which perhaps the Parliament can again begin to make the decisions and do it in a democratically inclined way is to set a framework here, and this is what Mr. Engel, I believe, is trying to do, a framework whereby we can have reason prevail. So from that standpoint and especially since the powers of the Parliament have been usurped arguably by the executive branch with these antidemocratic measures, I think it is appropriate for the House to urge a potential solution here.

Any other members seek recognition?

Mr. KEATING. Mr. Chairman.

Chairman ROYCE. Mr. Keating.

Mr. KEATING. Thank you, Mr. Chairman.

Mr. Chairman, I would like to thank you and Ranking Member Engel for working together with myself and other people on this bipartisan resolution. Further, I would like to thank the members of the European Subcommittee that have signed on, which include each minority member of that subcommittee. As ranking member of the Subcommittee on Europe, Eurasia, and Emerging Threats, I believe that it is indeed essential for the United States to show our strong support for the democratic aspirations of the Ukrainian people. Many of us have been deeply troubled by the developments in Ukraine in the wake of President Yanukovych's decision not to sign an association agreement with the European Union and the resulting activities that followed.

We have been troubled, but we have also been inspired by the thousands of nonviolent protesters and journalists who have taken to the streets, despite subzero temperatures and bitter wind chill to peacefully demonstrate and demand in a more democratic way for an open society.

We have been disappointed in the Ukrainian Government's repeated refusal to engage in substantive dialogue with these protesters, and we have been deeply dismayed at reports of violence, especially the deaths, beatings, and disappearances, illegal arrests, and hospitalization of peaceful protesters, social activists, and journalists. I applaud the administration's decision to revoke the U.S. visas of the Ukrainian Government officials who were responsible for ordering or committing acts of violence against peaceful protesters. I believe additional sanctions should be considered, especially in the event of further violence.

On Tuesday, Ukraine's Parliament voted to repeal five of the repressive measures enacted on January 16th, and this is an important first step. Another hopeful sign was the resignation of the

Prime Minister and his cabinet. This creates an opening for serious dialogue between the government and the opposition.

Quite appropriately, this resolution urges all parties to refrain from violence, all parties, and to engage in constructive, sustained dialogue in order to find a peaceful solution to the current crisis. To facilitate that process, this resolution underscores to protesters, to the government, and to all Ukrainians that the United States will continue to defend Ukraine's sovereign right to chart its own course and build its own future. It also makes clear not just to the protesters, but to President Yanukovych as well, that the United States will continue to support the Ukrainian people's aspirations to build a strong and prosperous democracy, one that is firmly rooted in Europe.

Thank you, Mr. Chairman, and I yield back.

Chairman ROYCE. Given our time constraints, I am going to go ahead and ask unanimous consent that the brief Engel amendment No. 84 sent around to all offices yesterday updating the text to reflect events in the last couple of days be considered en bloc with the base text.

Without objection, so ordered.

[The amendment follows:]

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 447 OFFERED BY MR. ENGEL OF NEW YORK

In the second-to-last clause of the preamble, strike "and" at the end.

In the last clause of the preamble, strike ": Now, therefore, be it" and insert "and".

At the end of the preamble, add the following:

Whereas in the face of spreading demonstrations, Ukrainian Government representatives and opposition leaders have entered into negotiations which on January 28, 2014, resulted in the resignation of the Prime Minister and his cabinet and the repeal of most of the anti-democratic laws from January 16, 2014: Now, therefore, be it

Strike paragraph (6) of the resolved text and insert the following:

1 (6) welcomes the repeal by the Ukrainian par-
2 liament of most of the anti-democratic measures
3 adopted on January 16, 2014, and urges President
4 Yanukovych to continue to engage in substantive
5 talks with opposition leaders to address the legiti-

2

1 mate grievances of the opposition, and to take addi-

2 tional steps to de-escalate tensions;

☒

Mr. SMITH. Mr. Chairman?

Chairman ROYCE. Yes?

Mr. SMITH. Might I ask a question of the bill sponsor?

Chairman ROYCE. Absolutely.

Mr. SMITH. Thank you.

And I would ask Mr. Engel, you know, we don't define any country or government as to how we look at their work on democracy or human rights as to who they associate with, in this case the European Union. In reading your "be it resolved clauses" and that the House should do this, the House should do that, I don't see anything in this that says they should join the European Union; is that correct?

Mr. ENGEL. I believe that is correct.

Mr. SMITH. So you would leave it exclusively up to the Ukrainian people to decide when and if, if ever, they would like to become part of the European Union?

Mr. ENGEL. Yes.

Mr. SMITH. Okay. So this focuses on the human rights abuses and the violence that has taken the lives of several people and our concern for their lives and that the aspiration of the Ukrainian people be properly respected?

Mr. ENGEL. Absolutely.

Mr. SMITH. Thank you.

Mr. ENGEL. Thank you.

Chairman ROYCE. Without——

Mr. ROHRABACHER. Mr. Chairman?

Chairman ROYCE. Yes, the gentleman is recognized.

Mr. ROHRABACHER. I would like to ask Mr. Engel some questions as well.

Chairman ROYCE. The gentleman from California is recognized.

Mr. ROHRABACHER. Mr. Engel, doesn't this resolution say, "Whereas the Government of Ukraine has declared integration with Europe a national priority and has made significant progress toward meeting the requirement of that association agreement," isn't that basically a "whereas" saying that is what we believe they should do? And "Whereas, on November 21, 2013, following several months of intense outside pressure, the President of Ukraine abruptly suspended negotiations on the association agreement 1 week before it was due to be signed at the EU's Eastern Partnership Summit in Lithuania." Isn't that our suggestion, then, this President, who was elected to represent his people, and we have no idea what demands are being made of him to become part of the EU, aren't we then here condemning him for suspending those ne-

gotiations when we don't even know what demands were being made on his country?

Mr. ENGEL. Well, first of all, Mr. Rohrabacher, the "whereas" clauses just simply state the facts, and the facts as we know them is that there were negotiations going on with the European Union and also lots of pressure from Russia to not join with the European Union but instead to join a Russian customs union. And it has been obvious to anyone who has watched the situation that that was a very unpopular move with the people of Ukraine. That is why you have these spontaneous demonstrations. So the "whereas" clauses were just simply laying out the facts as we see them.

Mr. ROHRABACHER. Well, Mr. Engel, it is hard for me to suggest that we know exactly what the view of the majority of the people of Ukraine is by the number of demonstrators that certain groups can put in the streets. Now, by the way, several years ago, I was out in the streets in Ukraine camping out with protesters, and but basically, they were calling for a new election, et cetera, and I thought that was justified.

We are not even asking people here to call for a referendum on this issue. We are just basically saying that the Government of Ukraine doesn't have the right—or at least we are condemning them for making a decision that we disagree with them on.

Mr. ENGEL. Well, I——

Mr. ROHRABACHER. This is—you know, this is a slippery slope here, folks.

Mr. ENGEL. Well, I do think that——

Mr. ROHRABACHER. We are talking rule of law. Rule of law means the guy who wins the election makes the decisions.

Mr. ENGEL. Well, I think that any objective observation of what has been happening in Ukraine seems clear to me that this government is going against the will of the people. We saw that happen in Egypt, and we were able to make some conclusions, even though in Egypt, you had the Muslim Brotherhood duly elected. I mean, most of us didn't like that government, but it was duly elected, but it became clear that it no longer seemed to represent the wishes of the people. I think it is a similar situation here in Ukraine. That would be my opinion. I understand we have a disagreement, and I respect your view, but I think it is pretty clear that the people of Ukraine are fed up with the decisions that were made by the current leaderin Ukraine.

Mr. ROHRABACHER. And Mr. Engel, immediately after Mr. Morsi was removed from a government in Egypt, the people involved in that immediately put in process a road map for elections, and they did so. So, basically, we were talking about leading up to elections, and frankly, I don't see that this is being aimed at the democratic process. I see what we are doing here as being something aimed at forcing a country to join the European Union. And we have no idea what demands are being made of them to be part of that union.

Mr. ENGEL. Well, let me just say that I think that the demonstrators in the streets of Kyiv are asking the President to resign so that new elections can be held. I think that is their goal, and I, for one, certainly am sympathetic to that goal.

Chairman ROYCE. Hearing no further amendments——

Mr. GRAYSON. Mr. Chairman?

Chairman ROYCE. Mr. Grayson?

Mr. GRAYSON. Listening to the debate that has been going on, I am wondering how the propounders of this measure would feel about deleting the second "whereas" clause, the 12th "whereas" clause, and the 13th "whereas" clause, leaving the rest of the bill intact. I will read the three clauses. The first one reads, "Whereas closer relations with the European Union through the signing of an association agreement would promote democratic values, good governance, and economic opportunity in Ukraine." The 12th "whereas" clause, which is at the bottom of page 2, says, "Whereas on January 16, 2014, the Ukrainian Parliament passed and President Yanukovych signed legislation which severely limits the right of peaceful protest, constrains the freedom of speech and independent media and unduly restricts civil society organizations." And the third "whereas" clause reads, "Whereas the passage of these undemocratic measures and President Yanukovych's refusal to engage in substantive dialogue with opposition leaders precipitated several days of violence and resulted in several deaths and hundreds of injuries as well as numerous allegations of police brutality."

I think that deleting these three "whereas" clauses avoids the implication that we are somehow suggesting or implying that the Ukraine needs to join the EU, whether or not it does so voluntarily, and also avoids the implication that we believe that the actions taken through color of law in the Ukraine are somehow undemocratic. Thank you.

Mr. ENGEL. Well, let me, if I might, Mr. Grayson. I certainly, you know, respect your counsel in going through the resolution, but I think, at this time, I really would not feel comfortable with eliminating certain clauses. I can speak for myself. I think that, personally, obviously, it is up to the Ukrainian people, but I happen to believe, as the demonstrators do, that the country would be far better off working out a partnership with the European Union than with the Russian customs union.

Obviously, we as Americans don't have the right to make that decision, but I certainly think that it is not off base or out of line to express our feelings in that regard. Russia has been putting lots of pressure on a number of countries in the region, not only Ukraine but Moldova, Georgia, and some of the other countries to try to blackmail them or bully them into joining the Russian customs union rather than the EU partnership, and I think that the majority of people on this committee and in the Congress think or would like to see these countries have the opportunity to join the EU. So I just worry about starting at this late date as we are marking this up to pull out various paragraphs would be detrimental, so I certainly respect what you have tried to do, but I really think that I would decline to chop this up at this date.

Chairman ROYCE. Ms. Frankel wanted recognition.

Ms. FRANKEL. Thank you, Mr. Chair.

I have a question of the sponsor. I have enjoyed this debate. What is the potential impact of this resolution?

Mr. ENGEL. Well, like so many other resolutions like this, it is essentially a sense of Congress talking about how we feel. I would think that if word got back to the demonstrators in Ukraine that

the U.S. Congress had passed such a resolution, it would give a boost to them in their efforts psychologically, if nothing else, and I don't think there is anything wrong with the Congress stating how we feel about democratic aspirations of people.

You know, the United States, the European Union are allies, and I think they share common values with us, democratic common values, and I don't think it is wrong of us to express that we are sympathetic to those democratic common values.

Chairman ROYCE. Mr. Sherman?

Mr. SHERMAN. I share Mr. Rohrabacher's concern that it is not for us to tell the Ukrainians what to do and that just the number of demonstrators on the streets may not show where the majority opinion lies.

But in this case, this President of the Ukraine ran on a platform that he would join and go forward with the European Union. Of course, his opponents ran on a similar platform. This is a fundamental decision. This isn't like, you know, changing your opinion on a minor matter, and for the President to reject the European Union without going back to the people of his country seems unfair.

As to whether there are unreasonable demands being made by the Europeans at these negotiations, if so, the President of the Ukraine should share that information with his people, and so I do think it is appropriate for us to assume that, while there is substantial opposition to going forward, that the President of the Ukraine should not be rejecting European membership and association without going back to his people.

As to the text of the resolution and Mr. Grayson's comments, I think that the second "whereas" clause does seem to imply that we are telling the people of the Ukraine they would be better off with the European Union, but it contains the word "should" rather than "would," so it says "signing the association agreement should promote democratic values." Everything we do should support democratic values and promote democratic values, but I do think the resolution would be improved by removing that "whereas" clause so that we can say we are in favor of a democratic decision. Ordinarily democracy takes place through just electing a President and a Parliament, but when you elect a President and a Parliament on a platform to do this, and they decide to do that, then it is time to go back to the people——

Mr. ROHRABACHER. Would the gentleman yield?

Mr. SHERMAN. And as to the other two "whereas"—I will yield in a second. Whereas the other clauses that Mr. Grayson objects to, I would not join him in that concern because it is simply true that this government in Kyiv has adopted, through parliamentary means, restrictions on peaceful protest that clash with the democratic values, and throughout the world, we oppose antidemocratic, anti-free-speech provisions, even if adopted by a duly elected Parliament. So I think it is up to the author to decide whether to perhaps satisfy some of us and eliminate that second "whereas" clause. I think as long as it has the word "should" in it, it is not as objectionable as it would if it had the word "would" promote democratic values.

Mr. ROHRABACHER. Would the gentleman yield for a question?

Mr. SHERMAN. And I yield to the gentleman from California.

Mr. ROHRABACHER. Wouldn't you say that if we were really suggesting that the democratic process be followed that we should—that instead, the people of Ukraine should unelect this government and elect a government that does follow through on its commitments, and are we calling for—if we are calling for a referendum here or something like that, I think I would be less hesitant because we really don't know about these type of negotiations that go on between—Margaret Thatcher was attacked, by the way, let me be very clear: There were riots, and there were major demonstrations against Margaret Thatcher for not wanting to go into the EU. And I am sorry, she was elected at that time, and she—of course, she lost her position, but it was good that—anyway——

Mr. SHERMAN. Just to reclaim my time. I don't think the resolution has the specificity of saying what mechanism the Ukrainian people should use to make their views known on this important issue, whether that is new elections for a new Chief Executive or whether that is a referendum, either would take the same approach, which is allowing the people of the Ukraine to make this important decision. The resolution doesn't deal with that, and so maybe some steps could be——

Mr. ROHRABACHER. That might be a better resolution. Thank you.

Mr. SHERMAN. I yield back.

Chairman ROYCE. Mr. Engel.

Mr. ENGEL. Yes, I want to ask Mr. Grayson, was that one of the paragraphs that you had suggested we remove? That "whereas," the second "whereas"?

Mr. GRAYSON. Yes. Also, it might accommodate Mr. Rohrabacher's concern if you simply changed "should" to "might" or "may."

Mr. SHERMAN. I would just take it out.

Mr. ENGEL. Mr. Chairman, since there seems to be some concern with that paragraph, let me make an amendment to remove it. Ask unanimous consent to remove that paragraph.

Chairman ROYCE. Without objection.

Mr. ENGLE. All right. Then might I suggest——

Yes, the gentleman from Virginia.

Mr. CONNOLLY. Thank you, Mr. Chairman, and I know we are trying to move this along.

Chairman ROYCE. We have one more resolution.

Mr. CONNOLLY. I know. I just want to say, I think Mr. Rohrabacher actually brings up a good point. There is some danger when we do things like this that we are the new imperium, deciding for others all over the world what our version of legitimate democracy is for them.

I have enormous respect for the ranking member, but he cited Egypt as an analogy. We replaced an elected government because or, I should say, an elected government was replaced by a military junta that has slaughtered people in the streets because we think, we think the elected government lost its legitimacy. Where will that end if we go down that road, even if we don't like the particular government that got elected? That is the warning Mr. Rohrabacher is laying in front of us beyond the specific wording, and I just, I want to join with him in expressing that concern because I

think we are all, frankly, going to regret the change that occurred in Egypt, even though what it replaced was something most of us were probably not all that comfortable with. And we need to take care, as the House Foreign Affairs Committee and as the Congress of the United States, to show a little humility and respect for others' sovereignty and others' processes, even if they are not always ours.

And I just wanted to say that, Mr. Chairman, because the analogy to Egypt is to me a very troubling one. I thank you.

Chairman ROYCE. Would the gentleman yield?

Mr. CONNOLLY. Of course.

Chairman ROYCE. But getting back to the actual "resolved" clauses, and I would just repeat for the members here the basic concept here, "urges the Government of Ukraine, Ukrainian opposition parties, and all protesters to exercise the utmost restraint and avoid confrontation and calls on the Government of Ukraine to live up to its international obligations to respect and uphold the democratic rights of its citizens, including the freedom of assembly and expression as well as the freedom of the press." It condemns all acts of violence. In other words, what I don't want to be lost here in the debate is the fact that in the body of the "resolved" clauses, which is the main portion of this document before us, this resolution, is the intent to convey exactly that, and I think that is the spirit with which the resolution was offered.

I want to recognize Mr. Keating for a minute.

Mr. CONNOLLY. Mr. Chairman, if I could just reclaim my time before, Mr. Chairman, because I yielded to you. I just want to say I agree with you; I support the resolution as amended, but the word of caution coming from our friend from California I think is worthy of note.

Thank you.

Chairman ROYCE. Right, right.

Mr. Keating.

Mr. KEATING. Thank you, Mr. Chairman.

Just briefly, because we are up against a timeline. Just a few weeks ago, this committee unanimously passed, no opposition that I am aware of, a resolution concerning the eastern partnership that dealt with Ukraine aspirations just like this. We are already on record on that. So you are going to have to go back and put the genie back in the bottle.

This committee has already done that. Now this resolution, any fair reading of it, the substance is just to say we want a dialogue. We are encouraging a dialogue. That is all we are doing.

Chairman ROYCE. Yes.

Mr. KEATING. And there is nothing more democratic than that.

I yield back.

Chairman ROYCE. Well, I think the legislation that is now before us is the underlying House Resolution 447, as amended, first by the en bloc amendments and secondarily by the amendments just offered, suggested, and by unanimous consent accepted, removing that one particular clause. So if we might——

Mr. ROHRABACHER. Mr. Chairman?

Chairman ROYCE. Yes?

Mr. ROHRABACHER. Let me just note that I accept your explanation of the resolution condemning all acts of violence, not just government on the people but any violence that may have occurred by demonstrators trying to force their will through that type of violent demonstration. I accept that explanation. I accept that we have amended the bill to try to at least acknowledge that we are not telling these people that joining the EU is what we are insisting on, and I believe that that, you have amended it, and we have explained it enough that I will be supporting the resolution.

Chairman ROYCE. We thank the gentleman from California, and the question now occurs on agreeing to House Resolution 447, as amended, by the Engel amendment.

All in favor signify by saying aye.

All opposed?

The ayes have it.

The amendments that are in the underlying bill are agreed to, and without objection, the resolution, as amended, is ordered favorably reported and will be reported as a single amendment in the nature of a substitute. Staff is directed to make any technical and conforming changes.

And I now call up H.R. 938 for consideration. The clerk will report the title of the bill.

Ms. MARTER. H.R. 938, To strengthen the strategic alliance between the United States and Israel and for other purposes.

Chairman ROYCE. Without objection, the measure is considered read.

The Ros-Lehtinen/Deutch amendment in the nature of a substitute that was provided to your offices Monday morning is considered base text for purposes of markup.

[The information referred to follows:]

I

113TH CONGRESS
1ST SESSION

H. R. 938

To strengthen the strategic alliance between the United States and Israel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2013

Ms. ROS-LEHTINEN (for herself and Mr. DEUTCH) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To strengthen the strategic alliance between the United States and Israel, and for other purposes.

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 "United States-Israel Strategic Partnership Act of 2013".

SEC. 2. FINDINGS.

Congress finds the following:

1 (1) The turmoil in the Middle East poses a se-
2 rious threat to United States national security inter-
3 ests and requires cooperation with allies that are
4 willing to work with the United States in pursuit of
5 shared objectives.
6 (2) The October 31, 1998, Memorandum of
7 Agreement signed by President Clinton and Prime
8 Minister Netanyahu commits the United States to
9 working jointly with Israel towards enhancing
10 Israel's defensive and deterrent capabilities and up-
11 grading the framework of the United States-Israel
12 strategic and military relationships, as well as the
13 technological cooperation between both countries.
14 (3) On August 16, 2007, the United States and
15 Israel signed a Memorandum of Understanding re-
16 affirming United States commitment to the security
17 of Israel and establishing a 10-year framework for
18 incremental increases in United States military as-
19 sistance to Israel.
20 (4) The Memorandum of Understanding signed
21 two years later on January 16, 2009 reaffirmed the
22 United States commitment and noted "the security,
23 military and intelligence cooperation between the
24 United States and Israel".

(5) The United States and Israel conduct a semi-annual Strategic Dialogue. The Department of State, in a statement following the July 12, 2012, meeting of the Strategic Dialogue, noted that the discussions focused on such issues of mutual concern as "Iran's continued quest to develop nuclear weapons, which the United States and Israel are both determined to prevent" and "how the continued violence of the Syrian regime against its citizens [assisted by Iran and Hezbollah] could also lead to severe consequences for the entire region".

SEC. 3. DECLARATION OF POLICY.

Congress declares that Israel is a major strategic partner of the United States.

SEC. 4. AMENDMENTS TO THE UNITED STATES-ISRAEL ENHANCED SECURITY COOPERATION ACT OF 2012.

(a) UNITED STATES ACTIONS TO ASSIST IN THE DEFENSE OF ISRAEL AND PROTECT UNITED STATES INTERESTS.—Section 4 of the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150; 22 U.S.C. 8603) is amended—

(1) by striking "It is the sense of Congress that the United States Government should" and inserting

"(a) IN GENERAL.—The President should, to the maximum extent practicable,"; and

(2) by adding at the end the following:

"(b) REPORT.—Not later than 180 days after the date of the enactment of this subsection, the President shall submit to Congress a report on the implementation of this section.".

(b) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—Section 5(a) of the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150) is amended to read as follows:

"(a) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—

"(1) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005.—Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011), is amended by striking 'more than 10 years after' and inserting 'more than 11 years after'.

"(2) FOREIGN ASSISTANCE ACT OF 1961.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking 'and 2014' and inserting ', 2014, and 2015'.".

1 **SEC. 5. AUTHORIZATION OF ASSISTANCE FOR ISRAEL.**

2 (a) FINDING.—Congress finds that Israel has adopt-
3 ed high standards in the field of export controls, including
4 by becoming adherent to the Australia Group, the Missile
5 Technology Control Regime, the Nuclear Suppliers Group,
6 and the Wassenaar Arrangement, and by enacting robust
7 legislation and regulations for the control of dual-use and
8 defense items.

9 (b) EXPEDITED LICENSING PROCEDURES.—The
10 President should include Israel on the list of destinations
11 described in paragraph (c)(1) of section 740.20 of title 15,
12 Code of Federal Regulations (relating to License Excep-
13 tion Strategic Trade Authorization).

14 (c) OVERSEAS PRIVATE INVESTMENT CORPORA-
15 TION.—In carrying out its authorities under title IV of
16 chapter 2 of part I of the Foreign Assistance Act of 1961
17 (22 U.S.C. 2191 et seq.), the Overseas Private Investment
18 Corporation should consider giving preference to providing
19 insurance, financing, or reinsurance for energy and water
20 projects in Israel.

21 (d) ENERGY, WATER, HOMELAND SECURITY, AGRI-
22 CULTURE, AND ALTERNATIVE FUEL TECHNOLOGIES.—

23 (1) IN GENERAL.—The President is authorized
24 to carry out United States-Israel cooperative activi-
25 ties and to provide assistance promoting cooperation

in the fields of energy, water, homeland security, agriculture, and alternative fuel technologies.

(2) REQUIREMENTS.—In carrying out paragraph (1), the President is authorized to share and exchange with Israel research, technology, intelligence, information, equipment, and personnel that the President determines will advance the national security interests of the United States and is consistent with the Strategic Dialogue and pertinent provisions of law—

(A) by enhancing scientific cooperation between Israel and the United States; or

(B) by the sale, lease, exchange in kind, or other techniques the President determines to be suitable.

SEC. 6. EXTENSION OF EXISTING AUTHORIZATION OF UNITED STATES-ISRAEL ENERGY COOPERATION.

Section 917(c) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337(c)) is amended by striking "7 years" and inserting "17 years".

1 **SEC. 7. UNITED STATES-ISRAEL COOPERATION ON CYBER-**
2 **SECURITY.**

3 It is a sense of Congress that the United States and
4 Israel should take steps and explore avenues to increase
5 cooperation on cyber-security.

6 **SEC. 8. STATEMENT OF UNITED STATES POLICY REGARD-**
7 **ING ISRAEL'S DEFENSE SYSTEMS.**

8 (a) FINDINGS.—Congress—

9 (1) commends the first phase completion of the
10 David's Sling Weapon System (DSWS) by the Israel
11 Missile Defense Organization and the U.S. Missile
12 Defense Agency, which is designed to provide addi-
13 tional opportunities for interception by the joint
14 United States-Israel Arrow Weapon System (Arrow
15 2 and Arrow 3);

16 (2) congratulates the Israel Missile Defense Or-
17 ganization and the U.S. Missile Defense Agency on
18 successfully executing the Arrow 3 flyout of a more
19 advanced interceptor, which will improve Israel's de-
20 fenses against upper tier ballistic missile threats
21 from nations including Iran;

22 (3) recognizes that during Operation Pillar of
23 Defense in November 2012, Israel deployed Iron
24 Dome short-range rocket defense batteries to inter-
25 cept Hamas-launched rockets fired from Gaza—of

1 Israeli citizens, 80 to 85 percent were successfully
2 intercepted, saving countless lives; and
3 (4) agrees that, as stated by former Secretary
4 of Defense Leon Panetta, "Iron Dome performed, I
5 think it's fair to say, remarkably well during the re-
6 cent escalation . . . Iron Dome does not start wars.
7 It helps prevent wars.".
8 (b) STATEMENT OF POLICY.—The President, acting
9 through the Secretary of Defense and the Secretary of
10 State, should provide assistance, upon request by the Gov-
11 ernment of Israel, for the enhancement of the David's
12 Sling Weapon System, the enhancement of the joint
13 United States-Israel Arrow Weapon System (Arrow 2 and
14 Arrow 3), and the procurement and enhancement of the
15 Iron Dome short-range rocket defense system for purposes
16 of intercepting short-range rockets, missiles, and other
17 projectiles launched against Israel.

18 **SEC. 9. REPORT ON ELIGIBILITY OF ISRAEL FOR VISA**
19 **WAIVER PROGRAM.**

20 (a) STATEMENT OF POLICY.—It shall be the policy
21 of the United States to include Israel in the list of coun-
22 tries that participate in the visa waiver program under
23 section 217 of the Immigration and Nationality Act (8
24 U.S.C. 1187) when Israel satisfies the requirements for
25 inclusion in such program specified in such section.

1 (b) REPORT.—Not later than 180 days after the date
2 of the enactment of this Act, the Secretary of State shall
3 submit to the Committee on the Judiciary of the House
4 of Representatives and the Committee on the Judiciary
5 of the Senate a report on the extent to which Israel satis-
6 fies the requirements specified in section 217 of the Immi-
7 gration and Nationality Act for inclusion in the visa waiver
8 program under such section and what additional steps, if
9 any, are required in order for Israel to qualify for inclusion
10 in such program.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 938 OFFERED BY MS. ROS-LEHTINEN OF FLORIDA AND MR. DEUTCH OF FLORIDA

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "United States-Israel
3 Strategic Partnership Act of 2014".

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

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7 rious threat to United States national security inter-
8 ests and requires cooperation with allies that are
9 willing to work with the United States in pursuit of
10 shared objectives.

11 (2) The October 31, 1998, Memorandum of
12 Agreement signed by President Clinton and Prime
13 Minister Netanyahu commits the United States to
14 working jointly with Israel towards enhancing
15 Israel's defensive and deterrent capabilities and up-
16 grading the framework of the United States-Israel

1 strategic and military relationships, as well as the
2 technological cooperation between both countries.
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4 Israel signed a Memorandum of Understanding re-
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6 of Israel and establishing a 10-year framework for
7 incremental increases in United States military as-
8 sistance to Israel.
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19 as "Iran's continued quest to develop nuclear weap-
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(2) by adding at the end the following:

"(b) REPORT.—Not later than 180 days after the date of the enactment of this subsection, the President shall submit to Congress a report on the implementation of this section.".

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"(2) FOREIGN ASSISTANCE ACT OF 1961.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking 'and 2014' and inserting ', 2014, and 2015'.".

(c) AMENDMENTS TO REQUIREMENTS RELATING TO ASSESSMENT OF ISRAEL'S QUALITATIVE MILITARY EDGE OVER MILITARY THREATS.—

(1) ASSESSMENT REQUIRED; REPORTS.—Section 201 of Public Law 110–429 (122 Stat. 4843; 22 U.S.C. 2776 note) is amended—

(A) in subsection (a), by striking "an ongoing basis" and inserting "a biennial basis"; and

(B) in subsection (c)(2)—

(i) in the heading, by striking "QUADRENNIAL" and inserting "BIENNIAL"; and

(ii) in the text, by striking "Not later than four years after the date on which the

President transmits the initial report under paragraph (1), and every four years thereafter," and inserting "Not later than one year after the date of the enactment of the United States-Israel Strategic Partnership Act of 2014, and biennially thereafter,".

(2) REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on—

(i) the range of cyber and asymmetric threats posed to Israel by state and non-state actors; and

(ii) the joint efforts of the United States and Israel to address the threats identified in clause (i).

(B) FORM.—The report required under subparagraph (A) shall be submitted in unclassified form, but may contain a classified annex.

(C) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this paragraph, the term "appropriate congressional committees" means the Committee on Foreign Affairs of the

House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 5. AUTHORIZATION OF ASSISTANCE FOR ISRAEL.

(a) FINDING.—Congress finds that Israel has adopted high standards in the field of export controls, including by becoming adherent to the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group, and the Wassenaar Arrangement control lists, and by enacting robust legislation and regulations for the control of dual-use and defense items.

(b) EXPEDITED LICENSING PROCEDURES.—

(1) IN GENERAL.—The President shall direct the Secretary of State to undertake discussions with Israel to identify the steps required to be taken to include Israel within the list of countries described in section 740.20(c)(1) of title 15, Code of Federal Regulations (relating to eligibility for Strategic Trade Authorization).

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter or until such time that Israel is included on the list of countries determined as eligible for the Strategic Trade Authorization, the President shall submit

to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the following:

(i) The current status of negotiations.

(ii) The reasons that Israel has not yet been determined as eligible for the Strategic Trade Authorization.

(B) FORM.—The report required by subparagraph (A) shall be submitted in unclassified form but may contain a classified annex.

(c) LICENSING TREATMENT AS MTCR ADHERENT.—The President shall direct the Secretary of Commerce to ensure that Israel is treated no less favorably than any other member or adherent to the Missile Technology Control Regime designated in Country Group A:2 in Supplement No. 1 to part 740 of title 15, Code of Federal Regulations.

(d) OVERSEAS PRIVATE INVESTMENT CORPORATION.—In carrying out its authorities under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.), the Overseas Private Investment Corporation should consider giving preference to providing

1 insurance, financing, or reinsurance for energy and water
2 projects in Israel.
3 (e) ENERGY, WATER, AGRICULTURE, AND ALTER-
4 NATIVE FUEL TECHNOLOGIES.—
5 (1) IN GENERAL.—The President is authorized
6 to carry out cooperative activities with Israel and to
7 provide assistance to Israel that promotes coopera-
8 tion in the fields of energy, water, agriculture, alter-
9 native fuel technologies, and civil space, where ap-
10 propriate and pursuant to existing law.
11 (2) REQUIREMENTS.—In carrying out para-
12 graph (1), the President is authorized to share and
13 exchange with Israel research, technology, intel-
14 ligence, information, equipment, and personnel that
15 the President determines will advance the national
16 security interests of the United States and is con-
17 sistent with the Strategic Dialogue and pertinent
18 provisions of law—
19 (A) by enhancing scientific cooperation be-
20 tween Israel and the United States; or
21 (B) by the sale, lease, exchange in kind, or
22 other techniques the President determines to be
23 suitable.
24 (f) COOPERATIVE RESEARCH PILOT PROGRAMS.—

1 (1) IN GENERAL.—The Secretary of Homeland
2 Security, acting through the Director of the Home-
3 land Security Advanced Research Projects Agency,
4 is authorized to enter into cooperative research pilot
5 programs with Israel to enhance Israel's capabilities
6 in the following areas:
7 (A) Border, maritime, and aviation secu-
8 rity.
9 (B) Explosives detection.
10 (C) Emergency services.
11 (2) AUTHORIZATION OF APPROPRIATIONS.—For
12 fiscal year 2014, there are authorized to be appro-
13 priated to the Secretary of Homeland Security—
14 (A) $1,000,000 to carry out paragraph
15 (1)(A);
16 (B) $1,000,000 to carry out paragraph
17 (1)(B); and
18 (C) $1,000,000 to carry out paragraph
19 (1)(C).

20 **SEC. 6. UNITED STATES-ISRAEL COOPERATION ON CYBER-**
21 **SECURITY.**

22 It is a sense of Congress that the United States and
23 Israel should take steps and explore avenues to increase
24 cooperation on cyber-security.

1 **SEC. 7. STATEMENT OF UNITED STATES POLICY REGARD-**
2 **ING ISRAEL'S DEFENSE SYSTEMS.**

3 (a) FINDINGS.—Congress—

4 (1) commends the first phase completion of the
5 David's Sling Weapon System (DSWS) by the Israel
6 Missile Defense Organization and the U.S. Missile
7 Defense Agency, which is designed to provide addi-
8 tional opportunities for interception by the joint
9 United States-Israel Arrow Weapon System (Arrow
10 2 and Arrow 3);

11 (2) congratulates the Israel Missile Defense Or-
12 ganization and the U.S. Missile Defense Agency on
13 successfully executing the Arrow 3 flyout of a more
14 advanced interceptor, which will improve Israel's de-
15 fenses against upper tier ballistic missile threats
16 from nations including Iran;

17 (3) recognizes that during Operation Pillar of
18 Defense in November 2012, Israel deployed Iron
19 Dome short-range rocket defense batteries to inter-
20 cept Hamas-launched rockets fired from Gaza—of
21 those rockets that posed a threat to the life of
22 Israeli citizens, 80 to 85 percent were successfully
23 intercepted, saving countless lives; and

24 (4) agrees that, as stated by former Secretary
25 of Defense Leon Panetta, "Iron Dome performed, I
26 think it's fair to say, remarkably well during the re-

cent escalation . . . Iron Dome does not start wars. It helps prevent wars.''.

(b) STATEMENT OF POLICY.—The President, acting through the Secretary of Defense and the Secretary of State, should provide assistance, upon request by the Government of Israel, for the enhancement of the David's Sling Weapon System, the enhancement of the joint United States-Israel Arrow Weapon System (Arrow 2 and Arrow 3), and the procurement and enhancement of the Iron Dome short-range rocket defense system for purposes of intercepting short-range rockets, missiles, and other projectiles launched against Israel.

SEC. 8. REPORT ON OTHER MATTERS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States and Israel should continue collaborative efforts to enhance Israel's military capabilities, including through the transfer of advanced combat aircraft, active phased array radar, military tanker-transports, other multi-mission military aircraft, advanced or specialized munitions, and through joint training and exercise opportunities in the United States;

(2) the United States and Israel should expeditiously conclude an updated Memorandum of Under-

1 standing regarding United States security assistance
2 in order to help Israel meet its unique security re-
3 quirements and uphold its qualitative military edge;
4 (3) the United States should ensure that Israel
5 has timely access to important military equipment,
6 including by augmenting the forward deployed
7 United States War Reserve Stockpile in Israel and
8 by continuing to provide Israel with critical military
9 equipment and spare parts through the Department
10 of Defense's Excess Defense Articles program; and
11 (4) the United States should continue to sup-
12 port Israel's inherent right of self-defense.
13 (b) REPORT.—
14 (1) IN GENERAL.—Not later than 120 days
15 after the date of the enactment of this Act, the
16 Comptroller General of the United States shall sub-
17 mit to the appropriate congressional committees a
18 report that—
19 (A) reviews and comments on the report
20 required under section 6(b) of the United
21 States-Israel Enhanced Security Cooperation
22 Act of 2012 (Public Law 112–150; 22 U.S.C.
23 8604(b)); and
24 (B) provides policy recommendations, if
25 necessary.

(2) FORM.—The report required by paragraph (1) may include a classified annex.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term "appropriate congressional committees" means—

(A) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

SEC. 9. REPORT ON ELIGIBILITY OF ISRAEL FOR VISA WAIVER PROGRAM.

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to include Israel in the list of countries that participate in the visa waiver program under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) when Israel satisfies the requirements for inclusion in such program specified in such section.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report on the extent to which Israel satisfies the requirements specified in section 217 of the Immi-

1 gration and Nationality Act for inclusion in the visa waiver
2 program under such section and what additional steps, if
3 any, are required in order for Israel to qualify for inclusion
4 in such program.

☒

Chairman ROYCE. It is open for amendment at any point, and after brief remarks by myself and the ranking member, I am going to recognize the chairman emeritus, and I want to thank Ileana Ros-Lehtinen, our chairman emeritus here, and the ranking member, Mr. Deutch, as well as Ranking Member Engel for their leadership and hard work in authoring this bipartisan legislation that I think is quite important.

Two years ago, the Congress passed the U.S.-Israel Enhanced Security Cooperation Act, which provided a clear, concise demonstration of support for the U.S.-Israel relationship. The legislation before us today builds on that work, and it does so by making additions to Israel-based defense stockpiles, by authorizing cooperative activities in a range of fields, including energy and water, homeland security, agriculture, civil space, and provides for a framework to expedite licenses for Israel to acquire U.S. goods and services critical to the defense.

The bill also requires more timely assessments regarding Israel's qualitative military edge. Today, as Israel is surrounded by threats in every direction, this legislation is an important symbol of U.S. support. This is a strong bipartisan measure. I urge its expeditious consideration by this body and passage by this committee.

And given our time constraints, I am going to go ahead and ask unanimous consent that the brief Smith amendment No. 99, sent around to all offices last night, the sense of Congress on cooperation to combat anti-Semitism, be considered en bloc with the base text.

Without objection, so ordered.

[The information referred to follows:]

AMENDMENT TO H.R. 938

OFFERED BY MR. SMITH OF NEW JERSEY

Add at the end the following:

1 **SEC. 10. SENSE OF CONGRESS.**

2 It is the sense of Congress that the Department of
3 State should continue and, to the furthest extent prac-
4 ticable, increase its coordination on monitoring and com-
5 bating anti-Semitism with the Government of Israel.

☒

Chairman ROYCE. Mr. Engel, would you like to be recognized?

Mr. ENGEL. Yes, thank you. Thank you, Mr. Chairman.

I strongly support H.R. 938, the Israel Strategic Partnership Act. Israel is one of our closest and most reliable allies, and this important legislation seeks to further strengthen and broaden our mutually beneficial relationship.

I want to commend Ms. Ros-Lehtinen, the chairman of the Middle East and North Africa Subcommittee, Mr. Deutch, the ranking member, for authorizing this legislation.

Israel, as we know, faces a growing array of threats in the Middle East and around the world and is the target of vicious delegitimatization campaigns by international institutions, universities, and others that seek to undermine Israel's right to self-defense. And Israel would face an existential threat from a nuclear armed Iran, and the legislation before us today is critical because it sends a clear and unmistakable message to Israel's foes: America stands with Israel.

So now is the time to reaffirm the importance we place on the U.S.-Israel relationship and to pursue new ways to improve our partnership at every level. The bill will expand our robust defense cooperation, increase U.S.-Israel collaboration on cybersecurity, reaffirm our commitment to Israeli missile defense programs, which have saved many innocent lives.

And this legislation also includes the text of H.R. 1992, the Israel QME (Qualitative Military Edge Enhancement) Act, which passed the House in December. I also, again, in conclusion, would like to

thank the authors of that important bill, Mr. Collins of Georgia, Mr. Schneider of Illinois, for their hard work on this issue, so I am very pleased to support this and urge our colleagues to support it as well.

Thank you, Mr. Chairman.

Chairman ROYCE. Thank you, Mr. Engel.

I will remind members, you may put statements into the record.

We are going to go to Ms. Ros-Lehtinen for any statement she may wish to make.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman, and I will be brief.

Thank you for an excellent summary that you and Ranking Member Engel gave about the bill. There is a memo that explains the bill in your folder. I also had given to members yesterday or the day before an explanation about an erroneous campaign of misinformation about the bill that said that the bill would somehow allow Israel to discriminate against Arab Americans, and that is not true, and I hope you had the chance to read that memo.

But thank you, Mr. Chairman, to all of your staff for helping us work on this bill, especially I would like to point out Matt Zweig, who—I don't know if Matt is here—but worked so hard on this bill in its many forms.

And thank you to Mr. Collins for the qualitative military edge section, and it has been a pleasure to work with my wonderful colleague, Ted Deutch, and I won't delay it further, but there is a good explanation of the bill in your folder.

Thank you very much, Mr. Chairman, again, for your staff and Mr. Engel's staff for working with us.

I yield back, sir.

Chairman ROYCE. Thank you.

Any other members seek recognition? Mr. Deutch?

Mr. DEUTCH. Thank you, Mr. Chairman. I, too, will be brief, but I would just like to thank you and Ranking Member Engel for holding this markup, for your strong support of this legislation. I would like to thank your staffs as well, and it is an honor and a pleasure to work with my friend, Chairman Emeritus Ros-Lehtinen, and I thank her for her leadership on this legislation. I would only make one point about this, the importance of passing this bill right now, and it is that this bill offers a reminder to the international community of the depth of the partnership between the United States and Israel. Ultimately, at a time when there are very few things that everyone in Congress can agree to, we are now marking up a bill that has over 350 members of our Congress as cosponsors. And at a time when many of our constituents think that it is just impossible to agree on anything, this level of support really is remarkable. It is precisely because, precisely because of this support that the U.S. is able to send a message to the rest of the world that our commitment, America's commitment to Israel is unshakeable.

I thank you, Mr. Chairman, and I yield back.

Chairman ROYCE. Thank you, Mr. Deutch.

Mr. Smith, and then Mr. Sherman.

Mr. SMITH. Mr. Chairman, thank you very much.

I want to thank Chairwoman Ileana Ros-Lehtinen for this very fine—and Mr. Deutch, the cosponsor—for this timely and very ef-

fective piece of legislation. Couldn't come at a better time, as was just noted. I just want to say, I have a full statement, but very briefly, in 1995, I chaired the first hearing on the rising tide of global anti-Semitism when we took control of the House and have done more than 18 hearings on that since and raised it in numerous, numerous fora, including the OSCE. In 2004, I sponsored the amendment that became law that created the Office to Monitor and Combat Anti-Semitism with a special envoy.

What the amendment seeks to do is to better understand and coordinate with the Israeli Government, particularly the Netanyahu special adviser on anti-Semitism, the Ministry of Foreign Affairs and the Ministry for the Diaspora, that much of the violence on both the micro and the macro level is all about the hatred of Jews. That is where the incitement leads to, and it whips up people, even moderate Muslims, very often if they are not on the same page in hating Jewish people are ostracized. I had a hearing last year on it, and Dr. Jasser made very telling points about how if you are not going along with the anti-Semitic hate, you are then targeted yourself, so I think this amendment seeks to say we need to see this in security terms, not just in discriminatory terms, and I thank the chair for yielding.

Chairman ROYCE. Mr. Sherman.

Mr. SHERMAN. I would like to join in support with the author of the bill of the provisions dealing with making Israel a visa waiver country and to say that, of course, that Israel does not discriminate against Arab Americans. There has been this effort by anti-Israel extremists to accuse Israel of that. For example, one case they bring up is that someone they questioned at the airport, and it turned out this individual had played on an Islamic jihad-sponsored sports team but said, well, since I wasn't a real member of Islamic jihad, they shouldn't have asked me any questions.

Israel does have unique security needs, so does the United States. We have a no-fly list. They have a no-enter list, and those associated with Islamic extremism tend to find their names on both lists.

The provision in this bill simply says that Israel would become a visa waiver country when it satisfies all the requirements, including nondiscrimination requirements. My hope is that in conference, this bill will be amended to help Israel achieve the full participation in the visa waiver program.

Along with Ted Deutch, I introduced the Visa Waiver Act for Israel in May 2012. We reintroduced it in January 2013. There are now 76 cosponsors. Not everyone on this committee has cosponsored the bill, but there is still an opportunity. What that bill would do is allow Israel to become a visa waiver country, even if in over 3 percent of the cases our counselor personnel fear that those who were applying for a tourist visa may overstay that visa. The tradition has been to have a 3-percent rule on that, but the fact is that we have gone up to 8 percent in giving visa waiver status to virtually every country that was between 3 percent and 8 percent. Israel was left out of that, but Lithuania, Latvia, Estonia, and Hungary were all included. All of them are over 3 percent, under 8 percent, as Israel is today. So I hope that we would defend this provision from outrageous attacks and strengthen it in con-

ference so that it will be as easy for Israelis to visit. When they want to see Mickey Mouse, they should see the real one in Disneyland in California, close to Mr. Rohrabacher's district, or the newest imitation in Florida. Right now, Israel has a visa waiver relationship, has a visa waiver relationship with the EU. Israelis are free to travel to Europe without getting a visa, where they see what we all regard as the complete impostor, the Mickey Mouse at Euro Disney. So we need Israelis to bring those shekels here. We need to expand person-to-person contacts, and I hope that this provision is not only defended but strengthened as it goes through the process.

I commend the author for all of the provisions of the bill. I am one of the many cosponsors.

I yield back.

Chairman ROYCE. Are there any other amendments to the base text? Hearing no further amendments——

Mr. SHERMAN. A point of personal privilege. I commend Ted Deutch in every way, but the cosponsor of that visa waiver bill is Ted Poe.

Chairman ROYCE. Ted Poe.

Mr. SHERMAN. Very good.

Chairman ROYCE. Well, hearing no further amendments to this measure, the question occurs on agreeing to H.R. 938, as amended en bloc.

All those in favor say aye.

All those opposed, no.

In the opinion of the Chair, the ayes have it, and the bill, as amended, is agreed to.

And without objection, this legislation is ordered favorably reported. It will be reported as a single amendment in the nature of a substitute. Staff is directed to make any technical and conforming changes, and we stand adjourned.

[Whereupon, at 10:35 a.m., the committee was adjourned.]

APPENDIX

Material Submitted for the Record

FULL COMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Edward R. Royce (R-CA), Chairman

January 29, 2014

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN meeting of the Committee on Foreign Affairs, to be held in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at http://www.ForeignAffairs.house.gov):

DATE: Wednesday, January 29, 2014

TIME: 9:30 a.m.

MARKUP OF: H.R. 938, To strengthen the strategic alliance between the United States and Israel, and for other purposes; and

H. Res. 447, Supporting the democratic and European aspirations of the people of Ukraine, and their right to choose their own future free of intimidation and fear.

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE MARKUP

Day *Wednesday* **Date** *01/29/14* **Room** *2172*

Starting Time *9:41 A.M.* **Ending Time** *10:35 A.M.*

Recesses [*0*] (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Rep. Edward R. Royce, Chairman

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]

Electronically Recorded (taped) [✓]
Stenographic Record [✓]

BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

H.R. 938
H. Res. 447

COMMITTEE MEMBERS PRESENT:
See Attendance Sheet.

NON-COMMITTEE MEMBERS PRESENT:
None.

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

SFR - Sires
SFR - Cotton
SFR - Frankel
SFR - Collins

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

See Markup Summary.

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject	Yeas	Nays	Present	Not Voting

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *10:34 A.M.*

Doug Anderson, General Counsel

HOUSE COMMITTEE ON FOREIGN AFFAIRS

Full Committee Markup

Present	*Member*
X	Edward R. Royce, CA
X	Christopher H. Smith, NJ
X	Ileana Ros-Lehtinen, FL
X	Dana Rohrabacher, CA
X	Steve Chabot, OH
	Joe Wilson, SC
	Michael T. McCaul, TX
	Ted Poe, TX
	Matt Salmon, AZ
X	Tom Marino, PA
X	Jeff Duncan, SC
X	Adam Kinzinger, IL
X	Mo Brooks, AL
X	Tom Cotton, AR
X	Paul Cook, CA
X	George Holding, NC
X	Randy K. Weber, Sr., TX
	Scott Perry, PA
	Steve Stockman, TX
	Ron DeSantis, FL
	Trey Radel, FL
X	Doug Collins, GA
X	Mark Meadows, NC
X	Ted S. Yoho, FL
	Luke Messer, IN

Present	*Member*
X	Eliot L. Engel, NY
	Eni F.H. Faleomavaega, AS
X	Brad Sherman, CA
	Gregory W. Meeks, NY
X	Albio Sires, NJ
X	Gerald E. Connolly, VA
X	Theodore E. Deutch, FL
	Brian Higgins, NY
	Karen Bass, CA
X	William Keating, MA
X	David Cicilline, RI
X	Alan Grayson, FL
X	Juan Vargas, CA
X	Bradley S. Schneider, IL
	Joseph P. Kennedy III, MA
X	Ami Bera, CA
X	Alan S. Lowenthal, CA
X	Grace Meng, NY
X	Lois Frankel, FL
X	Tulsi Gabbard, HI
X	Joaquin Castro, TX

1/29/14 Foreign Affairs Committee Markup Summary

The Chair called up the following measures for consideration by the Committee.

1. H.Res. 447 (Engel), "Supporting the democratic and European aspirations of the people of Ukraine, and their right to choose their own future free of intimidation and fear."

    a. By unanimous consent, Engel 16 (an amendment in the nature of a substitute previously provided to Members of the Committee) was considered the base text;
        i. By unanimous consent, Engel 84, (an amendment to the base text, previously provided to Members of the Committee) was considered *en bloc* with the base text;
        ii. By unanimous consent, at the request of Rep. Engel, the second full paragraph of the preamble ("Whereas closer relations with the European Union (EU) through the signing of an Association Agreement should promote democratic values, good governance, and economic opportunity in Ukraine;") was struck from the base text.

    H.Res. 477, as amended, was agreed to by voice vote, and ordered favorably reported to the House by unanimous consent.

2. H.R. 938 (Ros-Lehtinen/Deutch), "To strengthen the strategic alliance between the United States and Israel, and for other purposes."

    a. By unanimous consent, Ros-Lehtinen/Deutch 15 (an amendment in the nature of a substitute previously provided to Members of the Committee) was considered the base text; and
        i. By unanimous consent, Smith 99, (an amendment to the base text, previously provided to Members of the Committee) was considered *en bloc* with the base text.

    H.R. 938, as amended, was agreed to by voice vote, and ordered favorably reported to the House by unanimous consent.

The Committee adjourned.

Statement for the Record
Submitted by the Honorable Albio Sires

Mister Chairman, I thank you for holding this Markup to consider such timely and important legislation. As upheaval in the region grows, Israel is surrounded by increasingly volatile nations and we must do all we can to ensure that Israel can thrive in a safe and secure environment free from terror. Not only to defend the Israeli people, but to protect U.S. interests in the region. I am a proud cosponsor of H.R. 938, the United States- Israel Strategic Partnership Act of 2013, legislation reaffirming the U.S. commitment to Israel's security and expands military and civilian cooperation between our two countries. Iran's pursuit of nuclear weapons continues to threaten Israel and the stability of the entire region. It is more important than ever that the United States stay committed to working with our long time ally Israel to address common threats. The United States must provide all the support we can to ensure Israel's security. I am a strong supporter of H.R. 938, I thank the Chairman and Ranking Member for bringing this bill before the committee today, And I thank my good friends Chairman Emeritus Ros-Lehtinen and Representative Deutch for their steadfast efforts to advancing their legislation. I urge my colleagues to support this bill

Statement for the Record
Submitted by the Honorable Tom Cotton

U.S.-Israel Strategic Partnership Act (H.R. 938)

A resolution calling on Ukrainian authorities to respect the democratic rights of the hundreds of thousands of Ukrainian citizens who continue to demonstrate in support of a democratic, European future for their country (H.Res. 447)

I'm pleased to support both of the measures before the committee today. And I thank Chairman Royce, Ranking Member Engel, Chairman Emeritus Ros-Lehtinen, and Congressman Deutch for their work on this legislation.

Our allies in the Middle East face serious threats and it is important to reaffirm our commitment to Israel through diplomatic measures like the U.S.-Israel Strategic Partnership Act. This legislation declares Israel a "major strategic partner" of the United States which lays the foundation for expanded U.S.-Israel cooperation in defense, intelligence, homeland security, energy, science, and trade. A nuclear Iran remains a very real threat and as the Obama administration continues to implement their "deal" with the mullahs, Congress must assure the Israeli people of its commitment to a secure Israel and a nuclear-free Iran.

Likewise, H.Res. 447 shows the Ukrainian people and government that the U.S. does not condone violence against peaceful protestor who seek only to hold their leaders accountable. Until recently, Ukraine was moving toward signing a pivotal economic accord with the European Union, which would have liberalized trade, relaxed certain visa restrictions, and opened the door for future membership in the EU. I am deeply troubled by President Yanukovich's change of course and action against his people. I, along with many EU leaders, feel his behavior is the direct result of economic threats delivered by the Kremlin. In December, I and several members of this committee wrote to Secretary Kerry directly expressing this concern. This resolution is timely and appropriate and I will continue to monitor the situation in Ukraine and condemn violence against peaceful protestors.

Statement for the Record
Submitted by the Honorable Lois Frankel

Thank you Chairman Royce and Ranking Member Engel for the continued bipartisan spirit of this committee, and Chairwoman Ros-Lehtinen and Ranking Member Deutch for your leadership on this bill.

Anyone who turns on the news for even a few minutes will see our good friend Israel in a region of chaos and unrest.

War in Syria – with refugees pouring into Turkey, Jordan, and Lebanon. Violence in Iraq. Upheaval in Egypt. And of course, the threat of nuclear advancement in Iran.

And yet, Israel remains a strong, stable, and reliable ally.

More than ever, we must do all we can to strengthen our critical relationship.

H.R. 938, the United States-Israel Strategic Partnership Act of 2013, will do just that.

It designates Israel as a "major strategic partner" and increases our mutually beneficial cooperation in the areas of energy, science, water, agriculture, alternative fuel technologies, and homeland security.

At a time of deep political division in Congress, this bill has across the board support, with 350 cosponsors, a reflection that our alliance with Israel is rooted in shared national interests, common values of democracy and freedom, and a recognition that the same forces threatening Israel also threaten the United States.

Thank you and I yield back.

Statement for the Record
Submitted by the Honorable Douglas A Collins

I've recognized the value of America's partnership with Israel for many years, and I'm humbled and grateful to now be in a position where I can support this alliance.

Our alliance with Israel has been vital for each nation's foreign policy efforts. Both nations have provided valuable intelligence saving the lives of civilians as well as military personnel.

I am pleased that the QME language I sponsored with Rep. Schneider has been included as a part of the United States-Israel Strategic Partnership Act of 2013. The QME language helps ensure that the United States' commitment to Israel's qualitative military edge remains substantial and meaningful.

It provides Congress the ability to continue its oversight of weapon sales to the Middle East at an increased regularity by reviewing arms sales every two years.

The very real threats of cyber-attacks and asymmetrical warfare in Israel must be taken into account as our nations continue fighting terrorism in the 21st century.

I am very appreciative that Chairman Royce included the QME language in the United States-Israel Strategic Partnership Act of 2013. I feel honored to be a part of legislation receiving such broad support.

○