POLICY BRIEF | POLITICS

Restricting US Military Aid to Israel in the Age of Normalization

By: Nadya Tannous · September, 2021

Overview

The United States' long-standing commitment to militarily aiding Israel is layered with new considerations in light of recent developments in Palestine, the US, and beyond. The Unity Intifada, which erupted following the Israeli regime's ethnic cleansing of Palestinians in Sheikh Jarrah, its attack on worshipers in the Aqsa mosque complex, and its vicious assault on Gaza in May 2021, garnered Palestinians unprecedented support from activists and policymakers across the world, and even in the halls of Capitol Hill. This dramatic shift in global public and political opinion is critical for the Palestinian struggle, and it presents an opportunity to push for policies that hold Israel accountable for its crimes against the Palestinian people.

This policy brief contextualizes US military aid to Israel historically, delineating how central such aid has become in regional dynamics between Israel and Arab states, and between Arab states and Palestine. It examines the ways in which the recent convergence of global grassroots movements, and their vocal solidarity with Palestine, are challenging the US' business as usual. From the streets to the halls of power, a concerted push to condition, sanction, and halt US military aid to

Israel is gaining traction globally.

The brief offers preliminary recommendations for activists, lobbyists, and policymakers for how to make use of this transformational moment in the history of Palestinian solidarity. Harnessing the movement effectively would contribute to substantively pressuring the US, Israel, and their allies to end their ongoing oppression of Palestinians across historic Palestine.

Normalization in the Context of American Military Imperialism

Since Israel's establishment in 1948, the US has largely shaped its relationship to the Middle East through maintaining security and leverage for Israel and its supporters. On the one hand, it has done this by maintaining Israel's regional military dominance through continued funding. On the other, it has brokered "peace" deals between Arab states and Israel, deals that require Arab governments to support Israel politically and economically, or, in the least, to abstain from publicly condemning its actions.

Since 2001, Israel has received over $63 billion in security assistance from the US, with over 90% of it funded by the State Department's Foreign Military Financing (FMF) program. The FMF, which is commonly known as "the blank check" to Israel, is funded by US tax dollars and comes in the form of weapons grants. In May 2021, the Carnegie Endowment for International Peace reported that, in the 2021 fiscal year, the Trump administration requested $3.3 billion in FMF for Israel, constituting 59% of the requested global FMF budget.

In the upcoming 2022 fiscal year, the Biden administration has requested to replicate it. The commitment to this level of funding was specifically instituted through a 10-year Memorandum of Understanding, signed under former president Barack Obama's administration. The report explained further that, "Israel receives more FMF than all other countries in the world combined."

Concurrently, the US has directly pressured Arab nations to capitulate to Israeli interests through threats to rescind its military aid packages and financial incentives for cooperation. The first two Arab states to normalize with Israel under US pressure were Egypt (1979), now the second largest recipient of US military aid, and Jordan (1994), a country with one of the strongest and most stable currencies in the world thanks to longstanding arrangements with the International Monetary Fund and World Bank. Whereas previously normalization of relations between Arab nations and Israel were an exchange of "land for peace," the 2020 Abraham Accords serve as a declaration of alliances, bolstered by weapons exchange and the promise of military might.

Throughout 2020, former US President Donald Trump ushered in a new era of US-brokered normalization treaties between Israel and Arab states, specifically the United Arab Emirates (UAE), Bahrain, Sudan, and Morocco. The agreements came at the same time as Palestinians were witnessing one of the most aggressive advances of the Israeli regime. Indeed, Israel was advancing its plans to annex Area C in the Jordan Valley; it carried out mass arrests and imprisonment of Palestinian university students; and it intensified its ethnic cleansing campaigns in Sheikh Jarrah, Silwan, and other parts of the West Bank. In this way, the agreements directly undercut Palestinian demands for self-determination, and normalize the Israeli regime's ongoing violence against Palestinians.

Regarding the UAE and Bahrain, the September 2020 Accords were recognized as a first-rate arms deal between two Gulf governments for American weapons. According to a report by the Center for International Policy, the US dominated arms transfers to the Gulf states from 2015 to 2019, and remains the top supplier of over two-thirds of states in the region. As a result of the Accords, the UAE publicly noted that it was expecting 50 F-35 fighter jets and 18 armed Reaper

drone systems as part of the $23.37 billion arms deal approved by the Trump administration in exchange for normalization.

While the Sudanese government agreed to normalize with Israel in exchange for the US lifting its sanctions on the country as part of the US terror list, and while Morocco normalized in exchange for US recognition of its sovereignty over the Western Sahara, the UAE and Bahrain normalized in order to bolster their positions vis-à-vis other regional players. In addition to pushing for nuclear deals that will neutralize Iran, the UAE and Bahrain seek to challenge Iran through proxy military confrontation, which requires enhancing their military arsenals.

Bahrain, for one, has clearly articulated that it expects to be consulted by the Biden administration ahead of any nuclear negotiations. This arms deal also permits the UAE to stockpile munitions for its military assault and weapons-racketeering in Libya, and for its participation in the Saudi-led attack on Yemen . At $10 billion, the arms deals ushered in by the Abraham Accords have been the largest in the UAE's history, and suggest a stockpiling of munitions for future military actions.

Meanwhile, Gulf support for the Palestinians has wavered, as regional donors have moved from neither condemning, nor seeking to obstruct, Israel's aspirations to now facilitating them. Indeed, the UAE has recently financed the purchase of properties across East Jerusalem, through Palestinian individuals, and then sold them to Israeli settlers. This period of normalization has been politically costly for Palestinians and, with the UAE and Bahrain entering their first year since normalization, their deepening relationship with Israel and their privileged relationship to the US will surely impede Palestinian resistance against Israeli apartheid, settler-colonialism, and military occupation.

US Legislative Responses and Maintaining Israel's QME

In the US, the Abraham Accords have generated a variety of responses on the legislative level. In November 2020, Representative Brad Schneider (D-IL) proposed H.R. 8494, "Guaranteeing Israel's Qualitative Military Edge," co-sponsored by 19 other representatives. The Qualitative Military Edge (QME) agreement ensures Israel's military advantage in the region in both military technologies and weaponry as the preferred partner of the US, and as a proxy state for US interests. It is a long-standing US practice, enshrined in US legislation since 2008, and enforced at the discretion of Congress. The bill was most significant, however, because it proposed that Israel, not the US Congress, would hold the deciding power over US weapons deals across the Middle East.

Schneider's bill was brought forward in the clamor of anxieties about the integrity of Israel's QME in light of US weapons sales to the Gulf states. This concern was largely rooted in the belief that a bolstering of weapons stockpiles among Arab partners could threaten Israel's security in the region, despite the provisions outlined in the Abraham Accords which stipulate that Arab states would never supersede Israel militarily. These US-brokered normalization agreements ultimately contribute to Israel's QME by allowing it to fortify the region against a perceived common enemy: Iran. Thus, in the US- and Saudi-led military front against Iran, Bahrain, the UAE, and Israel find themselves on the same side.

Yet, despite the guidelines laid out in the Abraham Accords, in November 2020, members of the Senate Foreign Relations Committee, led by chairman Robert Menendez (D-NJ), introduced a joint resolution against the weapons sale and invoked Israel's QME. Representative Ilhan Omar (D-MN) also protested the pending weapons deal under the Accords with stronger wording to ban the sale altogether, though she cited the UAE's human rights violations, and not Israel's QME, as a reason for the ban.

It is important to contextualize Schneider's bill both in comparison to Omar and

Menendez's separate resolutions, and against the backdrop of the Leahy Law. The 1977 law, named after Senator Patrick Leahy (D-VT), prohibits US arms sales and military aid to foreign states' security forces that commit gross human rights violations. Accordingly, there is legal precedent in the US for conditioning aid based on a state's human rights violations through the Foreign Assistance Act, while Schneider's proposed bill enables them.

Salih Booker of the Center for International Policy points out that Israel is the only country in the world for which the US does not track which weapons go to which military unit, making it virtually impossible to enforce the Leahy Law when it comes to Israel. The threat of conditioning US aid to Israel preceding the 1994 Madrid Conference, where former Secretary of State James Baker temporarily withheld loan guarantees to Israel to prevent use of the money for settlement building, is the only historical example of US-conditioned aid to Israel. To be sure, it was the Palestinians who made this possible through the First Intifada.

As of the summer of 2021, Schneider's bill has not been brought back to the floor, but developments have been made on the heels of Menendez's November 2020 resolution. In January 2021, Biden announced that he would review all Trump-era weapons sales, but in April, mentioned that the US would, as promised, go forward with "a broader UAE deal worth $23 billion." There has been continuous debate between Bahrain, the UAE, Israel, and the Biden administration on whether or not the sale of F-35s will actually go through, yet the strategies adopted by Menendez and the Biden administration are not concerned with the UAE's human rights record; they are concerned with the bedrock of US regional priorities: maintaining Israel's QME.

Indeed, US aid powers the Israeli Air Force, providing billions of dollars' worth of fuel under the government-to-government Foreign Military Sales (FMS) program. Since 2015, the US has spent over $5.4 billion on aviation fuel, diesel fuel, unleaded gasoline, and aerial refueling aircraft. The US is scheduled to send the

$3.3 billion in FMF funds to Israel throughout 2021, which Congress approved on a bipartisan basis.

On top of this, the US is set to send an additional $500 million for joint US-Israeli research, development, and deployment of missile defense systems. In June 2021, Israel was also forecasted to ask US Congress for another $1 billion to restock the Iron Dome and to upgrade the system, putting the FMF at $4.3 billion. Fundamentally, Israel will continue to lie at the center of US interests in the Middle East, and the US will continue to hold Israel's military actions to different standards than any other country.

US Aid to Israel in the Wake of a Transformative Moment

The Biden administration has not differed from Trump's with regards to fulfilling the US' unconditional support for Israel, which is in alignment with the Obama administration's 10-Year Memorandum of Understanding. The Biden administration has been committed to supporting Israel's ongoing colonial expansion. This became clear when Washington failed to condemn Israel's blatant ethnic cleansing in Jerusalem and war crimes against Palestinians in Gaza in May 2021.

On May 5, Congress was notified of the $735 million commercial sale of precision-guided weapons to Israel, initiating a 15-day period when members of Congress may object. Between May 5 and May 20, the Israeli regime bombarded Gaza, killing 243 Palestinians. Israelis also carried out brutal attacks on Palestinians throughout the West Bank and Jerusalem and formed lynch mobs against Palestinians in the 1948 territories, while Israeli forces stood by. Following the assault on Gaza, and at the end of the 15-day period, Representatives Alexandria Ocasio-Cortez (D-NY), Rashida Tlaib (D-MI), Mark Pocan (D-WI), and Bernie Sanders (D-VT) proposed a senate joint resolution and a house joint resolution to halt the sale.

These efforts have impacted politicians on Capitol Hill, and have brought progressive Democrats to make presentations in Congress in support of Palestine, using language never before spoken in those halls by the people in power. On May 13, Representatives Mark Pocan, Ilhan Omar, Ayanna Pressley, Cori Bush, Rashida Tlaib, and Alexandria Ocasio-Cortez publicly expressed support for the Palestinian people in Congress, calling for an end to funding Israeli military aggression. Pressley and Ocasio-Cortez described Israel as an "apartheid state" and even newcomer Representative Marie Newman (D-IL) called on the State Department to condemn the ethnic cleansing of Sheikh Jarrah as a violation of international law.

On April 15, Representative Betty McCollum (D-MN) submitted H.R.2590, titled "Defending the Human Rights of Palestinian Children and Families Living Under Israeli Military Occupation Act," which is an expanded version of the same bill she previously introduced. It was co-sponsored by 28 representatives. McCollum's bill aims to ensure that US funding is not used to sustain Israel's military judicial system, forced displacement of Palestinians through home demolitions and evictions, and illegal annexations of Palestinian land. Days later, Representatives Bernie Sanders and Elizabeth Warren (D-Mass) openly confirmed their willingness to restrict US aid to Israel, or to withhold money from any Israeli institution or military branch responsible for human rights abuses. Notably, Sanders had specifically withdrawn his opposition to the commercial sale by this time. Moreover, on June 8, over 100 prominent national organizations submitted a letter to Biden urging him to block the sale, with 73 centrist democrats calling on him to categorize Israeli settlements as illegal.

Beyond Capitol Hill, grassroots movements of Palestinians and tens of thousands of Palestine supporters have taken to the streets across major US cities, protesting the Israeli regime's disproportionate use of power, poking holes in the

stale "peace" discourses that distract from Israeli colonial violence, and calling for freedom for the Palestinian people. These efforts were inspired by the unprecedented mobilization witnessed across historic Palestine and the world, and which unified Palestinians to push back against ethnic cleansing, settler-colonial violence, apartheid, and siege, effectively defying their geographic and political fragmentation.

Organizers in the US continue to highlight the clear intersections between expanding systems of militarized policing, colonial violence, war, and racism in the US and Israel, bolstering the global struggle to confront all tenets of fascism. Campaigns online and activists on different social media platforms have also critiqued the US' direct contribution to Israel's violations of Palestinians' rights, and have demanded their political representatives take action, including rescinding or conditioning the US' blank check to Israel.

The tide is clearly shifting in the US. In May 2021, the LA Times cited an April 2021 Gallup study which reported a massive surge in support for Palestine over the past decade: from one in seven US citizens primarily sympathizing with Palestine, to now one in four. Additionally, an August 2021 Chicago Council Survey showed that 50% of Americans favor restricting military aid to Israel in operations that target Palestinians, as opposed to 45% who oppose it. Democrats overwhelmingly support it at 62%. To be sure, many of these US citizens are increasingly realizing that their tax dollars are directly contributing to the onslaught against Palestinians.

What Needs to be Done to Restrict Aid

In order to seize on this historic moment in the defense of Palestinians' rights:

- Activists and lobbyists must pressure policymakers and the international community to restrict US military aid to Israel, including through sanctions.

They should support McCollum's Bill, further legislation conditioning aid to Israel, and should push for legislation that tracks Israel's military spending. They should promote grassroots groups and NGOs already dedicated to this work, including the US Campaign for Palestinian Rights, Adalah Justice Project, American Muslims for Palestine, and the American Friends Service Committee.

- Activists, lobbyists, and policymakers must support the Boycott, Divest, Sanctions (BDS) movement, which is part of a larger strategy to hold accountable corporations and companies implicated in arms deals with Israel, including Raytheon, Boeing, Lockheed Martin, General Dynamics, Northrop Grumman and Elbit Systems. They must join municipal campaigns and initiatives, such as Dissenter's Divest From Death, to target these entities and their activities that contribute to the violation of Palestinians' rights and others in the region.
- International policymakers must promote the growing movement to hold Israel accountable for its ongoing violations – whether in the halls of Congress, at the corporate level, or even at the state level – through legislation and partnerships that protect, praise, and fund them. They must concomitantly push for legislative efforts that condition aid based on accountability to human rights.
- US policymakers must uplift and support the voices of US citizens who are calling, and writing letters to, their representatives demanding an end to US military support for Israel. They should also continue to sign petitions in conjunction with national campaigns working to protect Palestinians' rights.
- International policymakers must oppose and demand the revocation of anti-BDS laws which quash and delegitimize criticism of Israel, especially in the US. They must also demand that the International Holocaust Remembrance Alliance (IHRA) rescind its 2020 redefinition of anti-

Semitism that includes critique of Israel, a redefinition which has already been adopted by several governments. The controversial redefinition threatens free speech, and poses a significant challenge to combating real antisemitism and promoting Palestinian human rights.

Al-Shabaka: The Palestinian Policy Network, is an independent, non-profit organization. Al-Shabaka convenes a multidisciplinary, global network of Palestinian analysts to produce critical policy analysis and collectively imagine a new policymaking paradigm for Palestine and Palestinians worldwide.

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