

To: Congressional staff

From: J Street Government Affairs Team

Subject: Top Three Asks for Congress during President Biden's Final Months in Office

Date: November 11, 2024

While this year has been one of the most difficult for those who care about Israel, resolving the Israeli-Palestinian conflict, and protecting American values at home and abroad, we stand at the beginning of an even more critical moment in U.S. foreign policy.

Historically, Presidents in their final months in office have used this time to enact bold initiatives to advance the prospects for meaningful diplomacy in the Middle East. It's even more pressing than in previous transitions for President Biden to act, given the terrible, active conflicts in the region, as well as the hostility of the incoming Trump administration to longstanding bipartisan consensus U.S. policy toward the Israeli-Palestinian conflict specifically, and international norms as a whole. However, President Biden will need congressional urging and support to take essential steps.

Over the next five weeks, we urge your boss to take specific actions to ensure that before President Biden leaves offices he does the following:

1. Takes steps in accordance with U.S. law and policy to help bring an end to the Gaza and Lebanon wars and the humanitarian crises they have caused;
2. Protect against further acts of annexation and violence in the West Bank; and
3. Put forward his own proactive vision of how a comprehensive peace between Israel and all Arab states can be achieved via a regional effort that prioritizes the goal of Palestinian statehood.

What does "taking specific action" mean for lawmakers in each of these areas?

- **Ending the Gaza and Lebanon Wars and Humanitarian Crises:**
 - Welcome **Secretary Blinken and Secretary Austin's October 13th letter** calling on the Israeli government to address the deteriorating humanitarian situation in Gaza, and making clear that, "failure to demonstrate a sustained commitment to implementing and maintaining these measures may have

implications for U.S. policy under National Security Memorandum 20 (NSM-20) and relevant U.S. law.”

- Press the administration for a **full assessment of Israel’s compliance** with NSM-20, U.S. law and the requirements laid out in the October 13 letter; a **final judgment** on compliance; and full enforcement of U.S. law and policy, including withholding certain arms shipments as appropriate, if necessary.
- **Support legislative vehicles that make clear that the U.S.** – when helpful to achieving U.S. policy objectives and to advance American interests and values - is **willing to suspend certain shipments of offensive weapons** to demonstrate seriousness about enforcing U.S. law and the need for recipients of our aid to take U.S. interests and views into consideration in determining their actions.
- **Pushing back on further acts of annexation and violence in the West Bank:**
 - With the incoming Trump administration aligning with the extremist Netanyahu government in support of the expansionist settlement movement and Israeli annexation of Palestinian territory in the West Bank, the Biden administration must take concrete steps to enforce its own policies reflecting decades of U.S. opposition to such efforts, including its February 1 Executive Order countering settler violence and other destabilizing activities in the West Bank. Accordingly, lawmakers should call on the Biden Administration to **use Executive Order 14115 to sanction Ministers Smotrich and Ben Gvir, Amana and other Israeli officials and major entities inciting and/or enabling destabilizing activities in the West Bank**, including settlement construction in the outposts and on private Palestinian land.
 - Indicate to the Biden Administration that you would support the U.S. allowing the **United Nations Security Council** to pass a measured, accurate resolution reaffirming that annexation of Palestinian territory outside the context of a mutually-agreed exchange of land between Israel and the Palestinians would be against international law.
- **Putting forward Biden’s vision for regional peace and security:**
 - Lawmakers should call on President Biden to give a major speech that lays out his vision achieving regional security and peace -- including a resolution to Israel’s conflicts with its neighbors that prioritizes the essential goal of universally-recognized Palestinian statehood -- grounded in his many decades of

experience on the world stage and his proven friendship to the state and people of Israel. This speech is not only for policymakers, peacekeepers and those who will carry the torch forward on this issue in the US, it will also make clear the stakes of the choice ahead for Israelis and their friends around the world.

- Lawmakers could also suggest to the administration the broad contours of such a vision, including the ideas set out in [J Street's report](#) on how to move from the current conflicts to a comprehensive regional peace.

Thank you for your boss's continued leadership and efforts on this issue. I would be happy to discuss any of these items further or answer any questions.

Best,