

J STREET POLICY CENTER SYMPOSIUM

MIDDLE EAST POLICY Under the Next Administration

DECEMBER 2024



J STREET
POLICY
CENTER

TABLE OF CONTENTS

Executive Summary	2
Introduction	4
Summary of Symposium Discussion	5
Session 1: Reflections on Biden's Middle East Policy & Recommendations for the Post-Election Period	5
Session 2: Strategy in the Event of a Second Trump Presidency	8
Session 3: Middle East Policy Recommendations for a Harris-Walz Administration	11
Policy Recommendations	14
For the Biden Administration During the Post-Election Period	14
For the Trump Administration	19
For the Progressive Community	22

EXECUTIVE SUMMARY

In the final months of the Biden presidency, the J Street Policy Center held a symposium on the topic of Middle East policy under the next administration, co-sponsored by the Center for American Progress (CAP). Featured speakers included: **Dr. Shibley Telhami** of the University of Maryland; Former Deputy Assistant Secretary of State for Israeli-Palestinian Affairs **Andrew Miller**, now at CAP; **Dr. Dahlia Scheindlin** of The Century Foundation; **Matt Duss** of the Center for International Policy; Former US Deputy Secretary of State, **Ambassador Wendy Sherman**; and **Ambassador Patrick Gaspard**, President of CAP. **Dr. Debra Shushan**, Director of the J Street Policy Center, moderated the discussion. The following recommendations are a brief encapsulation of J Street's policy recommendations, informed by the symposium discussion.

POLICY RECOMMENDATIONS (IN BRIEF)

For the Biden Administration During the Post-Election Period

1) Reverse the Remaining Regressive Trump Administration Moves

President Biden should reinstate the long-standing US customs guidance mandating products from the West Bank be labeled “Made in the West Bank and Gaza” rather than “Made in Israel,” make a last attempt to reopen the US Consulate in Jerusalem, and take steps to facilitate the ability of a future Congress to restore UNRWA funding.

2) Deliver a Farewell Address to Israelis on Dangers to the Country's Future

President Biden should deliver a major speech leveraging his unassailable pro-Israel credentials to warn Israelis that the Netanyahu government risks losing the hostages, becoming trapped in Gaza, igniting an uprising in the West Bank, and jeopardizing further normalization with the Arab world. In his speech, Biden should lay out his vision for full normalization and a comprehensive regional security arrangement grounded in recognition of a Palestinian state — urging Israelis to choose this path rather than continuing on the road paved by the Netanyahu government.

3) Sanction Smotrich and Ben-Gvir Under Biden's West Bank Executive Order

Secretary of State Blinken or Secretary of the Treasury Janet Yellen should designate extremist Israeli ministers Itamar Ben-Gvir and Bezalel Smotrich under President Biden's Executive Order 14115 for their actions undermining peace, security, and stability in the West Bank. Ben-Gvir and Smotrich have used their ministerial posts to pursue policies that promote violence against West Bank Palestinians, promote annexation, and endanger the viability of a two-state solution.

4) Evaluate Accountability Measures for Violations of US Law

The Office of the Inspector General at the Department of State should open investigations, if it has not already done so, into three issues: 1) compliance with applying the Leahy Law to arms transfers to Israel, 2) compliance with Section 620I of the Foreign Assistance Act with respect to Israel's policy on humanitarian aid to Gaza, and 3) the releasability of the US Security Coordinator for Israel and the Palestinian Authority's report on the killing of US citizen Shireen Abu Akleh by the Israel Defense Forces.

5) Select the Arnona Plot as the Site for the US Embassy in Jerusalem

The State Department should officially select the Arnona plot as the site of the New Embassy Complex in Jerusalem, while simultaneously and formally renouncing any claims to the Allenby property. Allenby's plot includes land illegally appropriated by the Government of Israel under the Absentee Property Law, and dozens of US citizens have legal claim to the land. Given these circumstances, constructing the new US embassy on the Allenby plot is morally indefensible and would produce reputational damage for the US.

For the Trump Administration

1) End the War in Gaza, Save the Hostages, and Maintain the Israel-Lebanon Ceasefire

President Trump is in a strong position to pressure Netanyahu to move toward a ceasefire in Gaza. He will also need to maintain the ceasefire deal to end the fighting in Lebanon between Israel and Hezbollah — brokered by the Biden Administration and French counterparts — and secure Israel against threats from Hezbollah and other Lebanese-based militants.

2) Centering Palestinians in a Potential Israel-Saudi Arabia Normalization Agreement

President Trump is reportedly interested in resuming discussions with Saudi Arabia on a normalization agreement with Israel. Should he pursue this path, it will be critical for him to ensure that there is a meaningful Palestinian component, unlike in the Abraham Accords. The warm peace that Israelis seek with their neighbors is only possible with progress on Israeli-Palestinian relations.

3) Negotiate a New Nuclear Arms Control Agreement with Iran

In order to prevent Iran from developing a nuclear weapon, President Trump should negotiate a new nuclear arms control agreement to replace the highly successful but now defunct Joint Comprehensive Plan of Action. It may be necessary to incorporate Iran's non-nuclear activities in a new agreement as part of a "more-for-more deal," but Trump should not allow perfect to be the enemy of the good.

For the Progressive Community

1) Promote the "De-exceptionalization" of Israel

Progressive voices in the US should seek to develop a narrative promoting the "de-exceptionalization" of Israel as an organizing principle for new policies aimed at ensuring equality of treatment for Israel and forging a new consensus within the Democratic Party on Israel. "De-exceptionalizing" Israel need not reject the special nature of the relationship between Israel and the United States, but should take as its premise that this relationship brings both privileges and responsibilities for both allies.

2) Prioritize the Greatest Threats to Middle East Peace

The progressive community must focus on steps that would be most ruinous to Israeli-Palestinian peace, such as formal Israeli annexation of the West Bank and/or Gaza, in whole or in part; construction of Israeli settlements in Gaza and annexation of the Strip; as well as extremist settler violence in the West Bank.

3) Combating Antisemitism, Islamophobia, and Anti-Arab Racism While Safeguarding Civil Liberties

President Trump's second term is likely to further inflame antisemitic, Islamophobic, and anti-Arab sentiment in the US. In order to combat this hatred and protect our communities, the progressive community must forge a broad coalition reflecting our interconnectedness and the diversity of our country.



Introduction by Dr. Debra Shushan, Director of the J Street Policy Center

INTRODUCTION

One year after Hamas' deadly attack on October 7, 2023 and one month prior to the 2024 presidential election, the J Street Policy Center convened a symposium on Middle East policy under the next administration. Cosponsored by the Center for American Progress (CAP), the event brought together experts to formulate Middle East policy recommendations for a potential Harris-Walz Administration and to consider strategy in the event of a Trump-Vance victory. Expert participants also reflected on lessons learned over the last four years, particularly relating to policy on Israel-Palestine, and considered what initiatives President Biden should undertake in the post-election period prior to the end of his term.

Featured speakers offered key insights to begin each of our sessions. They included: Matt Duss, Executive Vice-President of the Center for International Policy; Amb. Patrick Gaspard, President of CAP; Andrew Miller, Senior Fellow at CAP and former Deputy Assistant Secretary of State for Israeli-Palestinian Affairs; Dr. Dahlia Scheindlin, political analyst, Policy Fellow at The Century Foundation, *Haaretz* columnist, and author; Amb. Wendy Sherman, former US Deputy Secretary of State; and Dr. Shibley Telhami, Sadat Professor for Peace and Development at the University of Maryland.

The main questions guiding the discussion were as follows:

Session 1: Reflections on Biden's Middle East Policy & Recommendations for the Post-Election Period

- How do we evaluate the Biden Administration's policy on Israel-Palestine and the Middle East? What did the Administration get right and what did it get wrong?
- What are the key lessons to be learned from the successes and failures of the Biden Administration's Israel-Palestine and Middle East foreign policy?
- What should the Biden Administration do before leaving office in January 2025? How can it best utilize the post-election period?

Session 2: Strategy in the Event of a Second Trump Presidency

- What should we expect from a second Trump Administration on Israel-Palestine and the broader Middle East?
- What strategy should we pursue to counter (at least the worst of) these expected moves?
- How can we use the period under a Trump-Vance Administration to build the movement for a more constructive foreign policy on Israel-Palestine and the Middle East?

Session 3: Middle East Policy Recommendations for a Harris-Walz Administration

- What are our recommendations for Israel-Palestine and Middle East policy for a Harris-Walz Administration?
- In particular, what actions should the Harris-Walz Administration take in its first 100 days?
- What are the key dynamics a Harris-Walz Administration will need to take into consideration as they craft Middle East foreign policy?

SUMMARY OF SYMPOSIUM DISCUSSION

Session 1: Reflections on Biden's Middle East Policy & Recommendations for the Post-Election Period

The first session of the symposium evaluated Biden Administration policy in the Middle East, assessing particular successes and failures. The two featured speakers and discussion participants leveled serious criticisms about the Administration's policy record. Alongside the critique, the discussion identified positive steps that the Biden Administration advanced in the Middle East and recommended initiatives that it should undertake during the consequential post-election period.

Evaluating Biden's Middle East Policy

BIDEN ADMINISTRATION SUCCESSES

Featured speaker Andrew Miller, who served as Deputy Assistant Secretary of State for Israeli-Palestinian Affairs in the Biden Administration from December 2022 until June 2024, sought to provide an impartial, balanced accounting of President Biden's record. On the positive side of the ledger, he credited the Administration with: 1) shifting the discourse on Palestinians away from an exclusive focus on two states to an emphasis on "equal measures" of rights for Palestinians and Israelis, countering the tendency to treat Palestinians as significant only in relation to Israel; 2) engaging on issues pertaining to Israeli democracy in the face of challenges to it by Prime Minister Netanyahu's government; 3) taking action against extremist settler violence via Executive Order 14115, which provides for sanctions on individuals and entities that destabilize the West Bank; 4) restoring aid benefiting the Palestinian people, including to UNRWA, the UN agency that provides critical services to Palestinian refugees in the occupied Palestinian territory as well as in



Remarks from Andrew Miller, former Deputy Assistant Secretary of State for Israeli-Palestinian Affairs

Jordan, Lebanon, and Syria, during the first year of Biden's term; 5) repudiating the Pompeo Doctrine that had reversed long-standing US government policy by stating that the establishment of Israeli settlements is not *per se* inconsistent with international law; 6) avoiding the blanket endorsement of problematic components of the Abraham Accords, such as provision of F-35s to UAE and publicly affirming recognition of Moroccan sovereignty over Western Sahara;

and 7) leading the regional coalition that defended Israel twice against direct Iranian attacks, thereby averting a "full-fledged regional war."

Beyond Israel-Palestine, Miller credited the Biden Administration with shifting to a "diplomacy first" approach to Yemen and reversing the Trump Administration's designation of the Houthis as a Foreign Terrorist Organization, which he noted likely would have led to a famine affecting two to four million Yemeni civilians. He also highlighted the Administration's success in keeping the humanitarian corridor and crossborder mechanism into Syria open. Regarding Iraq, Miller noted that the Administration resisted Iran's attempts to "draw the US into military action" by responding in a "calibrated manner." There is a "legitimate debate" about the question of whether US forces should remain in Iraq, stated Miller, but "we can all agree that the way they should leave is not under duress, under fire." He credited the Administration with handling the Iraq file in such a way as to preserve "the opportunity of negotiating an end to the US military presence in Iraq that'll be more favorable" to American regional interests and those of our partners.

BIDEN ADMINISTRATION FAILURES

Dr. Shibley Telhami of the University of Maryland found little to praise in the Biden Administration's Middle East policy aside from crediting President Biden for standing up to the Israeli government on unilateral annexation of the West Bank. He was otherwise unsparing in his assessment, particularly of the Administration's policy in the year since the Hamas attack on October 7, calling it "a personal presidential failure" and a "spectacular moral failure." Furthermore, Telhami made the case that US policy has contributed to the regional escalation with Iran and its proxies, contrary to the aims, interests, and values of the United States.



Virtual remarks from Dr. Shibley Telhami, University of Maryland

While Telhami assessed that a Republican president would probably have fared even worse, he charged that President Biden handled the Israel-Palestine file worse than he could imagine any other Democratic president managing it. A renowned pollster and public opinion expert, Telhami noted that Biden's approach has led to substantial tension within the Democratic Party, with Biden and other Democratic elected officials increasingly out of step with rank-and-file Democrats on the issue of US policy vis-a-vis Israel-Palestine. Telhami expects this gap will continue to grow as the war persists and well beyond the 2024 presidential election.



President Biden meets with Prime Minister Netanyahu in Tel Aviv, October 18, 2023. Photo courtesy The White House

According to Andrew Miller, the Biden Administration operated on the basis of several flawed assumptions, including that Israeli Prime Minister Benjamin Netanyahu is a leader operating in good faith, that conflict management is a sustainable strategy, the Palestinian issue is dead, and that normalization would inexorably spread to other countries regardless of their differences on Israel-Palestine policy and in their domestic politics. Additionally, the Biden Administration missed early opportunities to reopen the Palestinian consulate in Washington DC, reenter the Iran nuclear deal, and promote

Palestinian elections in 2021, while holding Israel to account for settlement building, settler violence, and violations of the Temple Mount status quo earlier and more forcefully. Lastly, there were major errors made by the Biden Administration before and during the Gaza war, including providing a blank check to Israel without understanding Israel's war objectives or exit strategy from the Strip, demonstrating appropriate empathy for Palestinians, and miscalculating the escalatory triggers for a broader war.

Andrew Miller acknowledged that for the Biden Administration "there was no strategy, there was an anti-strategy" when it came to the Middle East. He explained that the Administration wanted to prevent the Middle East from becoming an all-of-government issue, given the focus on China, Russia, climate, global health, and other pressing issues. Regarding Israel-Palestine and the broader Middle East, Miller said that the "instructions were very clear: keep the issue off of the president's desk." As such, the successes were limited, policy "wasn't really knitted together," and the credibility of the US and its allies was challenged. He assessed that a reckoning on Israel-Palestine is forthcoming in the Democratic Party.

Middle East Policy in Biden's Post-Election Period

While the colloquial name used for the final months of a presidency after the election has taken place ("lame duck") connotes weakness, symposium participants emphasized that those last remaining days are key. President Biden will be unburdened by domestic political

calculations and electoral pressures, freeing him to focus on enacting significant policy changes regarding the Middle East. This post-election policy agenda can put up crucial guardrails around President-Elect Trump (and could have set Vice President Harris up for success, had she won the election). Specific policy prescriptions for the post-election period were also proposed, on issues ranging from US aid to Palestinians and independent Palestinian statehood.

For more details on these proposed policies, see the following recommendations section.

Session 2: Strategy in the Event of a Second Trump Presidency

The second session of the symposium explored the scenario of another Trump presidency. Our featured speakers and participants discussed the policy implications of a Republican victory for former President Trump and his running mate, Senator J.D. Vance. They also made recommendations concerning the Democratic response to Trump Administration policy on the Middle East, particularly for the progressive opposition.

Potential Second Trump Administration Policy on the Middle East

Dr. Dahlia Scheindlin laid out her predictions for a second Trump presidency, based on the record, personality, and campaign rhetoric of the former president. She began her presentation by noting the “foolish counterfactuals” of Donald Trump’s claim that Russia would not have invaded Ukraine and Hamas would not have invaded Israel if he were president at those



Virtual remarks from political analyst Dr. Dahlia Scheindlin

respective times. She also asserted that there could be an element of unpredictability in Trump’s Middle East policy should he return to power. President Trump might “break the mold” and put more pressure on Prime Minister Netanyahu to end the war in Gaza, given his penchant for shattering policy taboos. However, there is “no chance,” according to Scheindlin, that a second Trump Administration would consider conditioning aid to

Israel, especially not military aid. Instead, a Trump presidency would likely continue providing aid to Israel as a blank check, without enforcement of restrictions mandated in US law.

Scheindlin also argued that there is “very little indication” that a second Trump Administration would try to resolve the Israeli-Palestinian conflict by reviving the Trump peace plan that was presented during the first Trump Administration. As noted by the Symposium moderator, Dr. Debra Shushan, J Street’s Director of Policy, the former US ambassador to Israel under President Trump, David Friedman, recently published a book *One Jewish State* in which he rejects the Trump peace plan and proposes unilateral Israeli annexation of the entire West



Ambassador to Israel David Friedman speaks in the Oval Office, September 2020. Photo courtesy The White House

Bank.¹ One symposium participant expressed concern that neither Trump nor Harris would prevent such an outcome.

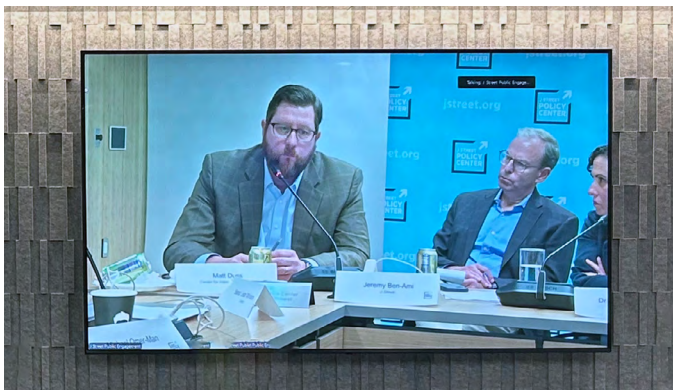
President Trump is likely to “go back to the same paradigm” of advancing wider Arab world normalization with Israel while ignoring the Palestinians — which Scheindlin called an “extremely dangerous approach.” Regarding Iran, Scheindlin warned that a second Trump presidency might see continued military escalation with Iran, given that President Trump surrounded himself with Iran hawks allied with Prime Minister Netanyahu on this issue.

Matt Duss, in agreement with Scheindlin, said that because of former President Trump’s unpredictability, it is difficult to ascertain what his policy towards the Middle East would be in a second term. Duss argued that Trump understood the Abraham Accords as a “way to exit the Middle East,” whereas the Emiratis and Prime Minister Netanyahu saw the Abraham Accords as a “way to further enmesh the United States in the Middle East.” They were right and Trump was wrong, Duss said. A second Trump presidency will see more “mischief,” Duss contended, as well as a far more “expansive interpretation” of Article II authority under the Constitution — whereby the president is responsible for executing and enforcing the law, including in foreign and military affairs. President Biden set the precedent for Article II expansion, Duss argued, by ordering airstrikes without citing the 2001 Authorization for Use of Military Force, claiming instead that such powers are inherent to the presidency. “Trump is going to take that and run with it,” he warned. Duss also noted Trump’s threat to target pro-Palestine groups on college campuses, and warned that this will also apply to American NGOs opposing his policies, including those advocating for Palestinian rights. He argued that like-minded organizations “need to be in communication and ready to show solidarity.”

¹ “Biblical Blueprint: West Bank Annexation Under a Second Trump Administration,” J Street Policy Center, October 31, 2024, <https://jstreet.org/wp-content/uploads/2024/10/Biblical-Blueprint-West-Bank-Annexation-Under-a-Second-Trump-Administration-2.pdf>.

The Potential Democratic Response to a Second Trump Presidency

In the event of a second Trump presidency, participants urged progressives and those in the wider Democratic tent to converge on a number of policies and priorities. Dr. Dahlia Scheindlin offered a number of recommendations in this regard, which included: 1) backing up the rhetoric on human rights with real policy action to protect such rights, 2) de-exceptionalizing Israel in US foreign policymaking by applying US laws that cover all recipients of US assistance to military aid to Israel, 3) re-prioritizing the issue of Israel-Palestine inside and outside of government, 4) providing a fuller accounting of the context in which the Gaza war is taking place to help justify progressive policy proposals, 5) updating the two-state policy — back it up with substance, outline contours, and provide benchmarks — such that “two states” is no longer just a slogan, 6) providing a meaningful alternative progressive vision to opposition leaders in Israel — which one participant called a “new emancipatory vision for the Palestinian people.”



Remarks from Matt Duss, Center for International Policy

For his part, Matt Duss also focused on US aid to Israel, including by urging Democrats to begin a serious conversation about conditioning US aid to Israel, in accordance with US law. In addition, he challenged the assumption that there should be a new Memorandum of Understanding (MOU) on US security assistance to Israel when the current 10-year MOU — to which President Obama and Prime Minister Netanyahu agreed in 2016 and covers fiscal years 2019 through 2028 — expires. Making the case that “we should just say straightforwardly

‘no new MOU,’” Duss argued that a 10-year MOU is a means of “taking US military aid to Israel out of the realm of political debate.” De-exceptionalizing Israel in US foreign policy should mean, according to Duss, debating “US aid to Israel, as we should have a debate about military aid to any country.” Even though negotiations for a new MOU will occur under a second Trump Administration, Democrats in Congress, which has the power of the purse, will have some influence over the contents of any MOU and whether it will be implemented unconditionally beginning in fiscal year 2029.

Duss also stressed the importance of fostering stronger ties with Palestinian and Israeli allies in the region and beyond. In addition, he encouraged symposium participants to look ahead to 2028 and consider supporting a progressive, creative candidate to be the next Democratic presidential nominee. Finally, Duss argued that progressives must engage in a more “honest and forthright” debate about antisemitism, anti-Muslim, anti-Palestinian, and anti-Arab bigotry. He discussed the “responsibility to address” problematic rhetoric within the pro-Palestine movement and “police our own side” to avoid undermining progressives both politically and strategically.

For detailed policy prescriptions in the event of a second Trump Administration, see the following recommendations section.

Session 3: Middle East Policy Recommendations for a Harris-Walz Administration

The third and final session of the symposium examined the scenario of a democratic victory for Vice President Kamala Harris and Governor Tim Walz. Expert participants analyzed the possibilities and potential roadblocks for a Harris-Walz Administration, then focused on recommendations for specific Middle East policies for that administration to pursue, if it won the 2024 election.

Potential and Challenges for President Harris on Middle East Policy



Virtual remarks from Amb. Wendy Sherman, former Deputy Secretary of State

Ambassador Wendy Sherman, who served as President Biden's Deputy Secretary of State through July 2023, laid out the stakes of the election, noting how crucial it was for Vice President Kamala Harris to win. She stated that Harris understands the complex calculus of international players, including Russia, which “want to play in this really gruesome sandbox,” the dire need for humanitarian aid in Gaza, the necessity of condemning settler violence on the West Bank, and the need for a path forward for Palestinians to live in peace and dignity alongside Israel. Sherman acknowledged

that Harris' policies would face limits set by Congress, need to address continuing escalation with Iran, and could be impacted by a potential domestic incident, such as a major antisemitic attack. Despite this, Amb. Sherman stated confidently that Kamala Harris is a “very sophisticated operator,” and if elected president, she would “make the decisions that are in the best interest of the United States.”

Expressing strong support for Vice President Harris, Ambassador Gaspard, President of the Center for American Progress, noted that she nevertheless would have a lot of work ahead of her to prove to the American people that her foreign policy would have clear “outcomes on Main Street” that would provide benefits at home. He also noted with some concern that while Harris had framed her language about a ceasefire in terms of Palestinian rights, she became too reliant on generic “two-state language” while campaigning for the presidency. Had she won the election, Gaspard advised Harris to “lean into our shared democratic norms with Israel,” drawing inspiration from Senator Chuck Schumer's bold speech calling for elections in Israel.

Symposium participants emphasized the various roadblocks in the way of a Harris Administration that would impede Kamala Harris' ability to pursue effective policy on Israel-Palestine and Middle East conflict resolution. Several experts noted that Prime Minister Benjamin Netanyahu and his ultra right-wing coalition government would not be going anywhere. They noted that if



Vice President Kamala Harris at a campaign rally in Las Vegas, August 2024

Kamala Harris won the November election, Netanyahu would likely take an early step to challenge and test her, as he had done with previous administrations. This could be as overt as moving to formally annex the West Bank, a prospect for which a Harris Administration would need to be ready. Many experts — including European diplomats in attendance — raised concern about the path of escalation with Iran that the US had already been pulled into. All agreed that the conflicts in Gaza and Lebanon were likely to continue, and if they spiraled further, the chances for a peaceful

resolution would be, as Sherman put it, “diminished if not completely gone.”

The assembled participants also debated potential pitfalls for Harris due to domestic politics. Our experts noted that the past year since October 7 had shown the extent to which the Israeli-Palestinian conflict is a domestic issue in the US. With Jewish, Arab, and Muslim Americans all historically part of the winning coalition of the Democratic Party, the war in Gaza and Democrats’ handling of it could divide the party’s natural constituencies and impact their electoral fortunes. Participants noted that this could especially be an issue in key battleground states like Michigan, which has a significant Muslim and Arab American population. One expert pushed back and cautioned against the perception that “key voting blocs for the Democratic Party” are necessarily pitted “against one another” in a “zero-sum” manner. Others agreed that the key to preventing this is for Democrats to pursue policies that align with the cause of peace, self-determination, and security for Israelis and Palestinians alike.

Other participants raised concerns about the rise of antisemitism in Europe and the US, and worried that an act or series of acts — whether on university campuses or even a terror attack — would seriously limit what any president can do vis-à-vis Israel and the Palestinians. Experts also acknowledged that Harris, as a woman of color, would face different challenges when dealing with this issue than President Biden has, perhaps similar to the baseless attacks attempting to paint President Obama as antisemitic and anti-Israel.



A pro-Palestinian campus encampment at City College Quad (CUNY), April 2024

The Opportunity for a Policy Shift

Had she been elected president, Kamala Harris would have had an opportunity to make a shift in US foreign policy toward Israel-Palestine and the wider Middle East, and symposium participants provided their recommendations for potential Harris Administration policies. Ambassador Gaspard stressed the importance of Harris articulating a clear vision of how to resolve the Israeli-Palestinian conflict and explaining the stakes in the region to the American public. J Street Policy Center Advisory Council member Jon Greenwald suggested that Harris' vision could also be framed as a choice to the Israeli public: regional integration with security alongside a Palestinian state or loss of US and international support.



Remarks from Amb. Patrick Gaspard, Center for American Progress

Multiple experts emphasized a need for a Harris Administration to utilize various forms of leverage on the Netanyahu government in order to advance such a vision. Withholding or imposing restrictions on US-made weapons, ending blanket US veto protection at the United Nations Security Council, and imposing sanctions on extremist Israeli government ministers were all noted as potential measures. Regarding the prospect of sanctioning Israeli leaders, Gaspard noted that Indian Prime Minister Narendra Modi was denied a visa to the US for committing severe violations of religious

freedom while he was the governor of the state of Gujarat in 2002.² Gaspard underscored that the extent of Israeli dependence on the US for defense and deterrence had become clear since October 7, and argued that this provided significant leverage that Kamala Harris could have utilized if she won the presidency.

Several participants argued for Harris to adopt a bottom-up approach that would focus on Israeli and Palestinian civil societies and disempower extremist actors. They added that Israeli and Palestinian civilians have been traumatized and it is therefore “not reasonable to expect people to turn on a dime and suddenly see enemies as partners.” Instead, the US government must support civil society — including through enhanced funding — as a means of lifting up their voices, offering protection, and bringing Israelis and Palestinians together.

Focusing on the war in Gaza, one participant argued that the only way to solve it is through “full commitment” by the US. He argued specifically for US participation in “a multinational authority overseen by an international contact group with a security force that neither side can roll” in post-war Gaza, drawing inspiration from the one implemented in Bosnia in 1994. Several experts emphasized the need for the US to work collaboratively with global partners to ensure that the resolution to this conflict would be a multinational, cross-regional effort. Matt Duss noted that this recruitment would help to reverse the loss of American credibility internationally that resulted

² “Issue of Gujarat Chief Minister Narendra Modi’s Visa Status,” U.S. Embassy of New Delhi, March 21, 2005, <https://2001-2009.state.gov/p/sca/rls/rm/2005/43701.htm>.

from the US failure to facilitate global stability and live up to its commitment to human rights and international law in the context of the Gaza war. He warned that if the next US president would not reclaim the mantle of peacemaker, China would likely step in and try to fill the void. Finally, Andrew Miller noted that process is key in shaping policy and pointed out the need for a Harris Administration to decide if the Israel-Palestine portfolio would be managed by the White House or State Department, and to determine what the interagency process would look like for the next four years. With a clear vision, a willingness to apply leverage, and a multilateral approach, our experts expressed the hope that Kamala Harris — had she been elected president — would have a momentous opportunity to change US policy in the Middle East.

POLICY RECOMMENDATIONS

FOR THE BIDEN ADMINISTRATION DURING THE POST-ELECTION PERIOD

As President-Elect Trump prepares to take office, the outgoing Biden Administration has the opportunity in its final weeks to roll back harmful policies from Trump's first term and to take other significant policy moves regarding Israel-Palestine and the Middle East. While Trump would have the opportunity to reverse many of these policies, such actions by President Biden would nonetheless signal a set of policy principles to foreign partners, elected officials, and civil society, which can provide an important point of reference in the coming months and years ahead.

Recommendation 1: Reverse the Remaining Regressive Trump Administration Moves

- Reinstatement of the long-standing US customs guidance prohibiting products from the West Bank from being labeled "Made in Israel." This would reverse President Trump's 2020³ decision mandating that all products originating in Area C of the West Bank intended for export to the United States be labeled "Made in Israel," which overturned the decades-old bipartisan guidance that "West Bank and Gaza" should be used. Under Trump's policy, both Israeli settlements that are illegal under international law and Palestinian villages are treated as Israeli territory, which is inconsistent with their status as occupied land and US support for a two-state solution. While the incoming Trump Administration will likely reinstate its own guidance, leaving the policy intact for President Biden's entire term would transform perception of Trump's policy from an ill-advised aberration under a single president into a new bipartisan consensus. That would make revising the policy under a future president from either party more difficult. Further, moves by the Biden Administration to expressly bolster differentiation between Israel and the Occupied Palestinian Territory are particularly essential in light of support for annexation by Trump nominees for key foreign policy and national security positions and the acceleration in annexation moves by the Netanyahu government.

3 Michael Pompeo, "Marking of Country of Origin," United States Department of State, November 19, 2020, <https://2017-2021.state.gov/markings-of-country-of-origin/>.

- Make a last attempt to reopen the US Consulate in Jerusalem. The Biden Administration should make a final attempt to reinstate a US Consulate in Jerusalem — which was closed by the Trump Administration⁴ in 2019 — that is physically and institutionally separate from the US Embassy to Israel. In practical terms, the Israeli government would have to consent to this decision because US diplomats cannot safely serve in a location where the relevant authority does not recognize their privileges and immunities under the Vienna Convention.⁵ While Prime Minister Netanyahu will presumably refuse — bolstered by the passage of a law in October 2024 that bans the establishment of new diplomatic missions in Jerusalem that are not embassies — it is nevertheless worth trying once more as a matter of principle and a reminder that the United States recognizes Palestinian aspirations for a capital in East Jerusalem. A push to reopen the consulate would also serve as a much-needed boost to the legitimacy of the Palestinian Authority. Should the Israeli government reject the US request, the Department of State could then take the symbolic step of appointing a career ambassador to head the Office of Palestinian Affairs⁶ in the US Embassy in Jerusalem, raising its profile as an independent operation.
- Early in his administration, President Biden delivered on his pledge to restore US contributions⁷ to the UN Relief and Works Agency for Palestine Refugees in the Near East



UNRWA workers at the site of an Israeli airstrike, July 2024

(UNRWA), which provides crucial support to millions of Palestinian refugees. However, the Administration felt compelled to suspend funding⁸ after revelations that a small number of low-level UNRWA personnel were implicated in the October 7 attacks. Since then, Congress has passed a law prohibiting US contributions at least through March 2025.⁹ These restrictions remain in place despite independent reviews into UNRWA's neutrality and the allegations against specific

staff, which led to the dismissal of nine staff for whom there was corroborating evidence to support the charges. It is hard to imagine a Republican-controlled Congress lifting this prohibition, but we should be prepared for the possibility that Democrats will be in a position

4 Bill Chappell, "U.S. Closes Jerusalem Consulate That Gave Palestinians A Link To Washington," *NPR*, March 4, 2019, <https://www.npr.org/2019/03/04/699969357/u-s-closes-jerusalem-consulate-that-gave-palestinians-a-link-to-washington>.

5 "Vienna Convention on Diplomatic Relations, 1961," United Nations, April 18, 1961, https://legal.un.org/ilc/texts/instruments/english/conventions/9_1_1961.pdf

6 "Homepage," U.S. Office of Palestinian Affairs, <https://palestinianaffairs.state.gov/>

7 Antony Blinken, "The United States Restores Assistance for the Palestinians," Press Statement, United States Department of State, April 7, 2021, <https://www.state.gov/the-united-states-restores-assistance-for-the-palestinians/>.

8 Augusta Saraiva and Courtney McBride / Bloomberg, "U.S. Suspends Funding to U.N. Agency Amid Serious Claims," *TIME*, January 27, 2024, <https://time.com/6589373/us-suspends-funding-unrwa-hamas-staff-involvement-claims/>.

9 Matt Berg and Eric Bazail-Emil, "Biden's Hands Are Tied on UNRWA Funding," *POLITICO*, April 23, 2024, <https://www.politico.com/newsletters/national-security-daily/2024/04/23/bidens-hands-are-tied-on-unrwa-funding-00153894>.

to act following the 2026 midterm elections. President Biden should facilitate the ability of a future Congress to restore UNRWA funding by ideally affirming that its acceptance of the independent Colonna report and the separate investigation of the UN Office of Internal Oversight Services represent sufficient remediation to justify removing the congressional prohibition at the first opportunity.

Recommendation 2: Deliver a Farewell Address to Israelis on Dangers to the Country's Future

Before leaving office, President Biden should deliver a public address directed at the Israeli people, sharing his concerns about Israel's future as a Jewish and democratic state. In this speech, which could be given from the Oval Office, the president should warn Israelis that their current government is leading the country in a perilous direction, marked by deliberate undermining of democracy and human rights, rising intercommunal violence, and international isolation — which make Israelis less free, less prosperous, and less secure. He could state plainly and forthrightly that Netanyahu's government risks losing the hostages, becoming trapped in Gaza and igniting an uprising in the West Bank, jeopardizing further normalization with Arab and Muslim countries, and extinguishing the Zionist dream of a state that is both Jewish and democratic. In light of his popularity with Israelis and 50-year history of support for Israel, President Biden can convey this message as a warning rooted in his genuine devotion to Israel, Zionism, and the Jewish people rather than a threat by the United States.



President Biden speaks on the national security supplemental, February 2024

The president could also use this speech to sketch out the rough parameters of his vision for full normalization and a comprehensive regional security arrangement grounded in recognition of a Palestinian state as a counterweight to those in the incoming administration who seek to erase the Palestinian people and their right to self-determination.¹⁰ This address is unlikely to move the Netanyahu government but could resonate with a broader swath of the Israeli public that is disillusioned with Israeli politics and seeking some degree

of normalcy. It would also give Democrats and others in the United States additional cover to criticize Netanyahu in a way that differentiates between opposition to Israeli policies and to Israel itself. Given President Trump's policy toward Israel in his first term, one last reminder from President Biden that there is a different path could be invaluable.

¹⁰ Andrew Kaczynski, "Mike Huckabee Once Said That 'There's Really No Such Thing as a Palestinian,'" *CNN*, November 12, 2024, <https://www.cnn.com/2024/11/12/politics/mike-huckabee-palestinian-comments-trump-israel-ambassador/index.html>.

Recommendation 3: Sanction Smotrich and Ben-Gvir Under Biden's West Bank Executive Order



Protest against Israeli Minister Bezalel Smotrich's visit to Washington, March 2023

Secretary of State Blinken or Secretary of the Treasury Janet Yellen should designate extremist Israeli ministers Itamar Ben-Gvir and Bezalel Smotrich under EO 14115¹¹ for undermining West Bank stability. The inclusion in Netanyahu's coalition of these Kahanists who advocate West Bank annexation and Jewish supremacy¹² is a stain on Israel's international reputation. More than any other Israeli official other than Netanyahu, Ben-Gvir and Smotrich¹³ have used their ministerial posts to pursue policies that promote violence against Palestinians in the West Bank and

Gaza, endanger the viability of a two-state solution, and undermine Israel's own democracy. President Trump would likely revoke their designations, but the taint of being sanctioned by Israel's closest partner would remain and other US allies can be expected to impose their own sanctions that will not be overturned. While sanctioning Ben-Gvir and Smotrich probably would increase their popularity among Israeli extremists, it would raise the cost to any future Israeli prime minister of including them in their government. It could also empower Israeli opposition to boycott Smotrich and Ben-Gvir, as Members of Knesset once did when Meir Kahane delivered Knesset speeches.

Designating Israeli ministers would indeed be an extraordinary measure and that is precisely why it could be impactful. Notably, the United States has previously sanctioned government officials in other partner countries; Narendra Modi of India is one example.¹⁴ There is already a sound legal basis for designating Ben-Gvir under the EO due to his conviction for incitement to racism and supporting a terrorist organization.¹⁵ Given the Defense Ministry's actions in the West Bank under Smotrich's authority, including home demolitions and incitement to extremist settler violence,¹⁶ it would not be difficult to compile sufficient evidence on him to defeat any legal challenge.

11 "Executive Order on Imposing Certain Sanctions on Persons Undermining Peace, Security, and Stability in the West Bank," The White House, February 1, 2024, <https://www.whitehouse.gov/briefing-room/presidential-actions/2024/02/01/executive-order-on-imposing-certain-sanctions-on-persons-undermining-peace-security-and-stability-in-the-west-bank/>.

12 Edo Konrad, "The Danger of Treating Smotrich as an Anomaly," +972 Magazine, March 9, 2023, <https://www.972mag.com/smotrich-american-jews-huwara/>.

13 Hannah Sarisoehn, "US Democrats Call on Joe Biden to Sanction Ben-Gvir, Smotrich," *The Jerusalem Post*, November 14, 2024, <https://www.jpost.com/israel-news/article-829192>.

14 Adam Taylor, "Analysis | How a Once-Banned Modi Is Making History in Washington," *Washington Post*, June 22, 2023, <https://www.washingtonpost.com/world/2023/06/22/modi-barred-visa-washington-congress-welcome/>.

15 Etgar Lefkovits, "Ben-Gvir Convicted of Inciting to Racism," *The Jerusalem Post*, June 25, 2007, <https://www.jpost.com/israel/ben-gvir-convicted-of-inciting-to-racism>.

16 The New Arab Staff, "Smotrich Plans to Demolish West Bank Palestinian Buildings," *The New Arab*, July 20, 2023, <https://www.newarab.com/news/smotrich-plans-demolish-west-bank-palestinian-buildings>.

Recommendation 4: Evaluate Accountability Measures for Violations of US Law



Protesters call for justice for slain journalist Shireen Abu Akleh in Washington, July 2022

The Office of the Inspector General (OIG) at the Department of State should open investigations, if it has not already done so, into three issues: 1) compliance with applying the Leahy Law to arms transfers to Israel, 2) compliance with Section 620I of the Foreign Assistance Act with respect to Israel's policy on humanitarian aid to Gaza, and 3) the releasability of the US Security Coordinator (USSC) for Israel and the Palestinian Authority's report on the killing of US citizen Shireen Abu Akleh.¹⁷ On the Leahy Law, the State Department has not determined¹⁸ that certain Israeli military units implicated in potential human rights

abuses are ineligible for military assistance, despite ample evidence supporting such a move. This includes the notorious Netzah Yehuda battalion which was implicated in the death of Omar Assad, an elderly Palestinian-American, in 2022.¹⁹ The Leahy Law has been applied to many recipients of US military aid, suggesting the possibility that Israel is being treated differently than other countries.

Section 620I of the Foreign Assistance Act²⁰ requires the United States to suspend military assistance to any country that "prohibits or otherwise restricts" the delivery of US humanitarian assistance. Given deplorable humanitarian conditions in Gaza and extensive evidence of Israeli obstruction,²¹ the OIG should investigate whether the State Department's interpretation of this legal provision reflects the intent and will of Congress. An IDF sniper's May 2022 killing of Abu Akleh,²² a journalist for Al Jazeera, has attracted international scrutiny and prompted questions about the IDF's Rules of Engagement and accountability for those soldiers who violate them. The currently classified report that the USSC prepared on behalf of the Biden Administration should be publicly released in the interests of promoting accountability for the murder of a US citizen.

17 U.S. Senator Chris Van Hollen of Maryland, "Van Hollen Statement Calling for Declassification of USSC Summation Report on Shooting Death of Shireen Abu Akleh," June 5, 2023, <https://www.vanhollen.senate.gov/news/press-releases/van-hollen-statement-calling-for-declassification-of-ussc-summation-report-on-shooting-death-of-shireen-abu-akleh>.

18 Charles O. (Cob) Blaha, "Israel and the Leahy Law," Just Security, June 10, 2024, <https://www.justsecurity.org/96522/israel-leahy-law/>.

19 Charles O. (Cob) Blaha, "The State Department's Wrong Decision to Exempt IDF Unit from Leahy Law Ineligibility," Just Security, August 9, 2024, <https://www.justsecurity.org/98521/netzah-yehuda-leahy-law/>.

20 "Fact Sheet: Section 620I of the Foreign Assistance Act," Center for Civilians in Conflict, <https://civiliansinconflict.org/publications/policy/fact-sheet-section-620i-of-the-foreign-assistance-act/>.

21 Liam Stack, "Parts of Gaza Are in Famine, World Food Program Chief Says," *The New York Times*, May 4, 2024, <https://www.nytimes.com/2024/05/04/world/middleeast/cindy-mccain-gaza-famine.html>.

22 Zeena Saifi, Eliza Mackintosh, Celine Alkhalidi, Kareem Khadder, Katie Polglase, Gianluca Mezzofiore, Abeer Salman, Oscar Featherstone, "New Evidence Suggests Shireen Abu Akleh Was Killed in Targeted Attack by Israeli Forces," *CNN*, May 24, 2022, <https://www.cnn.com/2022/05/24/middleeast/shireen-abu-akleh-jenin-killing-investigation-cmd-intl/index.html>.

Recommendation 5: Select the Arnona Plot as the Site for the US Embassy in Jerusalem

The State Department should officially select Arnona as the site of the New Embassy Complex (NEC) in Jerusalem, while simultaneously and formally renouncing any claims to the Allenby property. Allenby's plot includes land illegally appropriated by the Government of Israel under the Absentee Property Law.²³ Successive US administrations have opposed this law, which imposed an unreasonable burden of proof on Palestinians to demonstrate ownership of land, thereby facilitating Israeli seizures. The Arnona site is not encumbered by any conflicting property claims.

Constructing the new US embassy on the Allenby plot would produce major reputational damage for the United States. Moreover, dozens of US citizens, including members of the prominent Khalidi family,²⁴ have legal claim to this plot. While they may not be able to succeed in overturning the decision in US courts, picking a fight with these US citizens would be cruel and damaging. This is one step the Biden Administration can take that would be difficult for President Trump to reverse.

FOR THE TRUMP ADMINISTRATION

Recommendation 1: End the War in Gaza, Save the Hostages, and Maintain the Israel-Lebanon Ceasefire

President-Elect Trump has repeatedly said he wants Israel's wars to end before his second presidential term begins.²⁵ His team reportedly viewed the agreement ending the hostilities between Israel and Hezbollah in Lebanon and securing Israel against threats from Hezbollah and other Lebanese-based militants — mediated by the US and France and announced by President Biden on November 26 — favorably.²⁶ Trump understands that the continuation of the war in Gaza will distract from his other priorities, including the US economy, and could embroil the US in a larger conflict that he says he does not want. If the war in Gaza is still ongoing when he takes office and should the fighting between Israel and Hezbollah resume, President Trump will be in a strong position to pressure Netanyahu to move towards ceasefires. He should utilize the available leverage to do so when he assumes office.

23 Anna Roiser, "Why We Need to Speak about the Absentee Property Law," *Jewish News*, July 5, 2020, <https://blogs.timesofisrael.com/why-we-need-to-speak-about-the-absentee-property-law/>.

24 Rashid Khalidi, "Will the U.S. Embassy in Jerusalem Be Built on Confiscated Palestinian Land?," *The New York Times*, January 15, 2023, <https://www.nytimes.com/2023/01/15/opinion/embassy-jerusalem-israel-palestine.html>.

25 Jacob Magid, "Trump Told Netanyahu He Wants Gaza War over by Time He Enters Office — Sources," *Times of Israel*, October 30, 2024, <https://www.timesofisrael.com/trump-told-netanyahu-he-wants-gaza-war-over-by-time-he-enters-office-sources/>.

26 Tucker Reals and Margaret Brennan, "President Biden Announces Ceasefire to End Fighting between Israel and Hezbollah," *CBS News*, November 26, 2024, <https://www.cbsnews.com/news/israel-hezbollah-ceasefire-netanyahu-war-lebanon-gaza-amas/>.

Crucially, President Trump should ensure that any cessation of hostilities in Gaza secures the release of the remaining hostages. There is a risk he could sacrifice them as part of a unilateral Israeli decrease in operational intensity that allows Trump to claim the war is over but does not require Netanyahu to make necessary concessions to obtain the hostages' release. Likewise, President Trump should make clear to the Israeli government that he will not recognize Israeli annexation of Gaza or approve the establishment of Israeli settlements there, and expects the IDF to withdraw from the Strip on a predetermined, accelerated time frame. With the end of the war, the United States would need to remain engaged with Israel, the Palestinians, and regional partners to make progress on governance, security, and reconstruction arrangements. These are essential for a sustainable cessation of hostilities and, ultimately, to a durable peace.

Recommendation 2: Centering Palestinians in a Potential Israel-Saudi Arabia Normalization Agreement



President Trump and Saudi Crown Prince Mohammed bin Salman, March 2017. Photo courtesy The White House

President Trump is reportedly interested in resuming discussions with Saudi Arabia on a normalization agreement with Israel.²⁷ Should he pursue this path, it will be critical to ensure that there is a meaningful Palestinian component, unlike in the Abraham Accords.²⁸ This appears to be a firm condition for Saudi Crown Prince Mohammed bin Salman,²⁹ who recognizes his subjects would react negatively to any diplomatic arrangement bypassing the Palestinian people. This issue has

figured prominently in talks on normalization during the Biden Administration, increasing in salience after the October 7 attacks and war in Gaza.

Inclusion of the Palestinians in normalization is also in the interest of the United States and, ultimately, Israel. A normalization agreement with Saudi Arabia, the home of Islam's two holiest places and the gateway to normalization with other Arab and Muslim countries, is of such importance to Israel that it may induce Israelis to accept compromises on issues related to the Palestinians. It will be a tougher sell with extreme right-wing members of Netanyahu's coalition who oppose any concessions on the Palestinian issue, but if he chose to exert his influence, Trump could succeed in moving figures like Ministers Bezalel Smotrich and Itamar

27 Kylie Atwood and Kevin Liptak, "Jared Kushner Expected to Be Pivotal to Trump Admin's Middle East Efforts without Taking a Formal Job" CNN, November 15, 2024, <https://www.cnn.com/2024/11/15/politics/jared-kushner-trump-middle-east-policy/index.html>.

28 Israel reportedly promised the UAE it would not annex the West Bank until 2024, but that did not stop either de facto or de jure annexation moves. <https://www.timesofisrael.com/us-assured-uae-it-wont-back-israel-annexation-before-2024-at-earliest-toi-told/>.

29 Nahal Toosi, "The Saudi Crown Prince Is Talking About An Assassination. His Own.," *POLITICO*, August 14, 2024, <https://www.politico.com/news/magazine/2024/08/14/saudi-prince-mbs-israel-deal-00173898>.

Ben-Gvir — who celebrated his 2024 election victory — in ways President Biden could not.³⁰ From an Israeli perspective, the warm peace that Israelis seek with their neighbors is only possible with progress on Israeli-Palestinian relations. While the United Arab Emirates and other Abraham Accords countries did not suspend or rescind normalization in response to the war in Gaza, public relations and the ability of Israelis to travel and live safely in the Arab world have deteriorated significantly³¹ over the last year. Contrary to popular belief, the Palestinian issue was not “dead” to Arabs and Muslims.

Recommendation 3: Negotiate a New Nuclear Arms Control Agreement with Iran

While President Trump’s initial appointments are dominated by Iran hawks, both he and Iranian President Masoud Pezeshkian have signaled an openness to consider negotiating³² a new nuclear arms control agreement to replace the highly successful but now defunct Iran nuclear deal negotiated under President Barack Obama — the Joint Comprehensive Plan of Action (JCPOA). We should expect a return to the “maximum pressure” campaign initiated during Trump’s first term after he abrogated US compliance with the JCPOA. “Maximum-er pressure” would include the introduction of additional sanctions on Iran. Unlike his advisors, however, Trump appears uninterested in Iranian regime change and views economic pressure as a way to compel Iran to negotiate on terms more favorable to the United States. Whether or not sanctions work in the intended fashion, President Trump should be encouraged to pursue a new deal with Iran — something he was unable to accomplish in his first term, despite confident pledges that he would secure a better deal.

A negotiated agreement constraining Iran’s nuclear program is the only sustainable way to prevent the country from developing a nuclear weapon. Even if successful in the short-term, US military action against Iranian nuclear facilities would at best delay weaponization³³ while incentivizing Iran to take more of its program underground. It may be necessary to incorporate Iran’s non-nuclear activities in a new agreement as part of a “more-for-more deal,” but Trump should not allow perfect to be the enemy of the good. Whatever the contents of an agreement, President Trump will be in a stronger position to get the deal through a Republican-controlled Congress than a Democratic president.

30 “‘Yesssss’: Ben Gvir, Smotrich rejoice in projected Trump win,” *Times of Israel*, November 6, 2024, https://www.timesofisrael.com/liveblog_entry/yesssss-ben-gvir-smotrich-rejoice-in-projected-trump-win/.

31 Marcy Grossman, “As the Israel-Hamas War Continues, the Abraham Accords Quietly Turns Four,” *Atlantic Council*, September 11, 2024, <https://www.atlanticcouncil.org/blogs/menasource/abraham-accords-anniversary-gaza/>.

32 Golnar Motevalli, “Iran Loath to Be Drawn Into New Clash With US as Trump Returns,” *BNN Bloomberg*, November 15, 2024, <https://www.bnnbloomberg.ca/business/international/2024/11/15/iran-loath-to-be-drawn-into-new-clash-with-us-as-trump-returns/>.

33 Brian Katulis et al., “Ensuring That the Nuclear Agreement Effectively Constrains Iran,” *Center for American Progress*, July 17, 2015, <https://www.americanprogress.org/article/ensuring-that-the-nuclear-agreement-effectively-constrains-iran/>.

FOR THE PROGRESSIVE COMMUNITY

Recommendation 1: Promote the “De-exceptionalization” of Israel

One of the primary features of the US-Israel relationship is the degree to which the US government has held Israel to a lower standard than other US allies and partners. While in international organizations Israel is sometimes singled out and has been subjected to biased treatment that verges into antisemitism, the polar opposite has been true in the United States. Any action perceived as critical of Israel, no matter how justified or whether it is mandated by law, is more difficult to implement than it would be against any other country, including NATO allies like the United Kingdom and Canada.

“De-exceptionalizing” Israel need not reject the special nature of the historical relationship between Israel and the United States, but should take as its premise that this relationship brings both privileges and responsibilities for both allies. These responsibilities include commitments to international law, principles of peace and democracy, and regional security. Privileged treatment for Israel may appear on the surface to be “pro-Israel” but the consequences are often detrimental to the interests of the US, Israel, and other countries. The deference with which the United States deals with Israel can actually undermine the ability of US officials to defend Israel from unfair treatment internationally. It also complicates US efforts to change self-destructive Israeli behavior. Lower standards result in less accountability, reducing incentives to modify or correct problematic conduct.

Progressive voices in the United States should seek to develop a narrative promoting the “de-exceptionalization” of Israel as an organizing principle for new policies aimed at ensuring equality of treatment for Israel and Israelis and forging a new consensus within the Democratic Party on Israel. This framing of the problems in the US-Israel relationship — that Israel should be treated exactly the same way every other country is, no better and no worse — could resonate with a broader audience and it is much harder to contest. De-exceptionalizing the relationship would also make it harder for Israel’s detractors to criticize it for possessing unique privileges.

Recommendation 2: Prioritize Countering the Greatest Threats to Middle East Peace

If the first Trump administration was any indication, the progressive community will be confronted with a regular onslaught of actions that run directly counter to our values in Trump’s second term. Unfortunately, it will be impossible to defeat all of these initiatives, so it will be imperative to focus on steps that would be most ruinous to Israeli-Palestinian peace. Formal Israeli annexation of the West Bank, in whole or in part, is one such issue, particularly if that move receives US recognition or even financial support — as Trump’s former Ambassador to Israel David Friedman has argued it should.³⁴ That said, continued *de facto* and *de jure* annexation measures, short of a formal annexation declaration, are also dangerous

34 “Biblical Blueprint: West Bank Annexation Under a Second Trump Administration,” J Street Policy Center, October 31, 2024, <https://jstreet.org/wp-content/uploads/2024/10/Biblical-Blueprint-West-Bank-Annexation-Under-a-Second-Trump-Administration-2.pdf>.

and undermine the potential for the establishment of a viable Palestinian state. Similarly, construction of Israeli settlements in Gaza and annexation of the Strip must be a priority issue.

Members of President-Elect Trump's new administration, bolstered by Netanyahu, will likely push for West Bank annexation³⁵ early in his term. It may be possible to delay such action by appealing to Trump's continued interest in the "deal of the century," arguing that annexation would foreclose any possibility of a grand bargain between Israel, Saudi Arabia, and the rest of the Arab world. This is an area in which progressives can and should work with partners in the Jewish, Arab, and Muslim communities to intervene with the White House.



Barrier cutting through occupied Palestinian territory in Bilin, West Bank, February 2019

Violence by extremist settlers³⁶ and Palestinian militants in the West Bank is the other issue that poses the nearest term threat, due to its role in stoking further intercommunal violence and the displacement of Palestinians. While opposition to violence should be a given, it will likely prove difficult to convince President Trump and his team to engage on this issue. Sympathizers of the settler movement and the entities that support it have already been tapped to fill key roles in the administration.³⁷ However, it may be possible to appeal to Trump's desire to be seen as the ultimate law-and-order president, warning that inattention to violence by extremist settlers and

Palestinian militants would invite negative comparisons to President Biden. The goal would be to persuade Trump to leave EO 14115 and as many designations as possible intact. In the likely event that this appeal does not work with Trump, progressives and other supporters of peace should continue to emphasize the ways in which extremist settler violence is driving instability in the West Bank.

35 Jonathan Weisman, "Israeli Right, Pushing to Annex West Bank, Sees Allies in Trump's Picks," *The New York Times*, November 14, 2024, sec. U.S., <https://www.nytimes.com/2024/11/14/us/politics/israel-trump-administration.html>.

36 "Settler Violence = State Violence," B'tselem, November 25, 2021, https://www.btselem.org/topic/settler_violence.

37 Barak Ravid, "Trump Israel ambassador pick Mike Huckabee is longtime ally of settlers," *Axios*, Nov 12, 2024, <https://www.axios.com/2024/11/12/mike-huckabee-israel-ambassador-settlers>. Senator Marco Rubio, "Rubio to Blinken: Stop Undermining the Jewish State of Israel," Press Release, August 30, 2024, <https://www.rubio.senate.gov/rubio-to-blinken-stop-undermining-the-jewish-state-of-israel/>

Recommendation 3: Combating Antisemitism, Islamophobia, and Anti-Arab Racism While Safeguarding Civil Liberties

The combination of the normalization of bigotry that began with President Trump's first term in office and the passions stirred by Hamas's October 7 terrorist attacks on Israel and the subsequent war in Gaza has inflamed antisemitic, Islamophobic, and anti-Arab sentiment in the United States.³⁸ President Trump's second term is likely to further exacerbate this negative trajectory, placing Jews, Arabs, and Muslims in greater danger. Efforts to combat this hatred and protect our communities will be more successful if we forge a broad coalition reflecting our interconnectedness and the diversity of our country. Acts of bigotry or violence against marginalized groups must be condemned forcefully across the board, and elected officials from both parties should be brought to task if they do not do likewise.

Critically, Jews, Arabs, and Muslims need to monitor their own communities, rather than just focusing on what members of other communities are doing. Antisemitic remarks or actions by Arabs and Muslims should be denounced by their leaders, while Islamophobic and anti-Arab speech by Jews should be repudiated by prominent individuals in the Jewish community. Censure of such behavior by members of the offender's own community is essential to deterring further acts of hate and is more likely to lead to open, productive conversations about the sources of this prejudice.

The progressive community should also be prepared for further efforts to co-opt the fight against antisemitism and weaponize it to curtail civil liberties. The Heritage Foundation, which compiled the notorious Project 2025, recently released what it terms a "national strategy to combat antisemitism." Dubbed Project Esther, the plan is not only a blueprint for targeting pro-Palestinian civil society organizations and campus speech; it pushes for the federal government to close foundations that support Palestinian causes within the framework of their broader charitable work. An incoming Trump administration, particularly backed by a Republican House and Senate, is poised to act aggressively on this blueprint. Efforts are already underway, including House passage of legislation (H.R. 9495) that will allow the Treasury Secretary to strip the tax-exempt status of non-profit organizations they deem to be "supporting terrorism." These developments not only threaten civil liberties, they threaten to distract or divert those seeking in good faith to address the rising threat of antisemitism in the United States. The progressive community and all who Americans committed to preserving our democracy must unite against such dangerous efforts to hijack the fight against antisemitism.

³⁸ Sheera Frenkel and Steven Lee Myers, "Antisemitic and Anti-Muslim Hate Speech Surges Across the Internet," *The New York Times*, November 15, 2023, sec. Technology, <https://www.nytimes.com/2023/11/15/technology/hate-speech-israel-gaza-internet.html>.



JSTREET.ORG/POLICYCENTER