

US Secretary of State Mr. Mike Pompeo

U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

March 25, 2020

Dear Secretary Pompeo,

We were very upset to see the misleading letter sent to you by 60 members of Congress (March 16, 2020), in which they criticized the actions of the State of Israel, which are necessary to ensure both basic law enforcement and essential self-defense.

In the letter, the Members of Congress expressed their concern “over the ongoing home demolitions and forcible transfer of Palestinian civilians in the West Bank... and other communities in East Jerusalem” and questioned whether they were carried out using US-supplied equipment or US aid.

The authors of the letter paint a false picture as if the State of Israel arbitrarily demolishes Palestinian homes and libelously call them “unlawful home demolitions”.

In fact, all house demolitions by Israel are legal and carried out in strict adherence to Israeli law. In most cases, these are houses illegally built without permits. The remaining demolitions were necessary to ensure and support Israel’s deterrence against acts of terror, as will be explained below. All the demolitions referred to were conducted pursuant to all the due process provisions of Israeli law.

Both of these purposes are clearly permitted usage of US aid, pursuant to the US Arms Export Control Act (AECA).

Unfortunately, the members of Congress chose to ignore the important facts.

First, they fail to note, as documented in the reports of the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) which is the report that the members of Congress rely on, 97% of the house demolitions in 2018 and 96% of the house demolitions in 2019, were carried out in Jerusalem and in the areas of Judea and Samaria that are entirely under Israeli jurisdiction.

In these areas, the Palestinian Authority has deliberately promoted the building of illegal structures, as part of its illegal “land grab” policy, in order to challenge Israeli jurisdiction that was granted under the Oslo Accords. Under the terms of the Oslo peace process, Israel has full jurisdiction and full administrative responsibility, except in areas where the status has been changed by agreement.

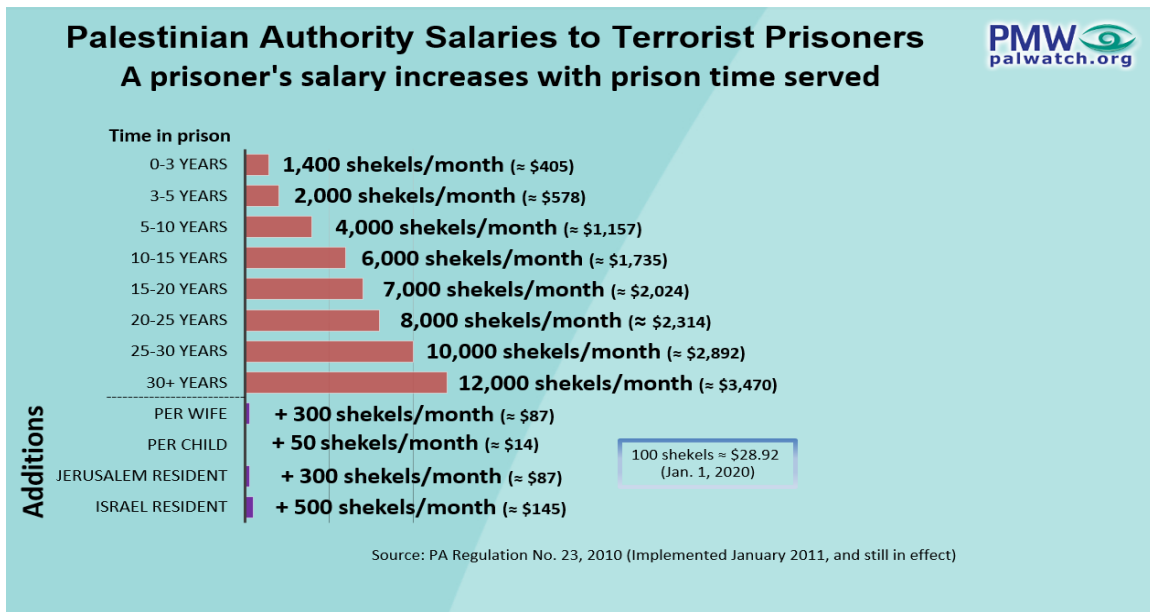
When demolishing these illegally built structures, Israel is rightfully conducting essential functions of law enforcement carried out by all law-abiding governments. Regrettably, the members of Congress in the letter to you are supporting the PA’s intentional violation of the law and in doing so are also preventing the resumption of a peace process. If the PA concludes that it is able to garner international support from legislators for its violation of the law and its land grabs, it will never return to a negotiated peace process.

Second, the authors of the letter ignore the critical fact that the other house demolitions were carried out as a direct result of murderous terror attacks, and that the houses demolished were the houses in which the terrorist murderers lived. These terror-related demolitions are likewise carried out following due process and have proven effective in creating and maintaining deterrence.

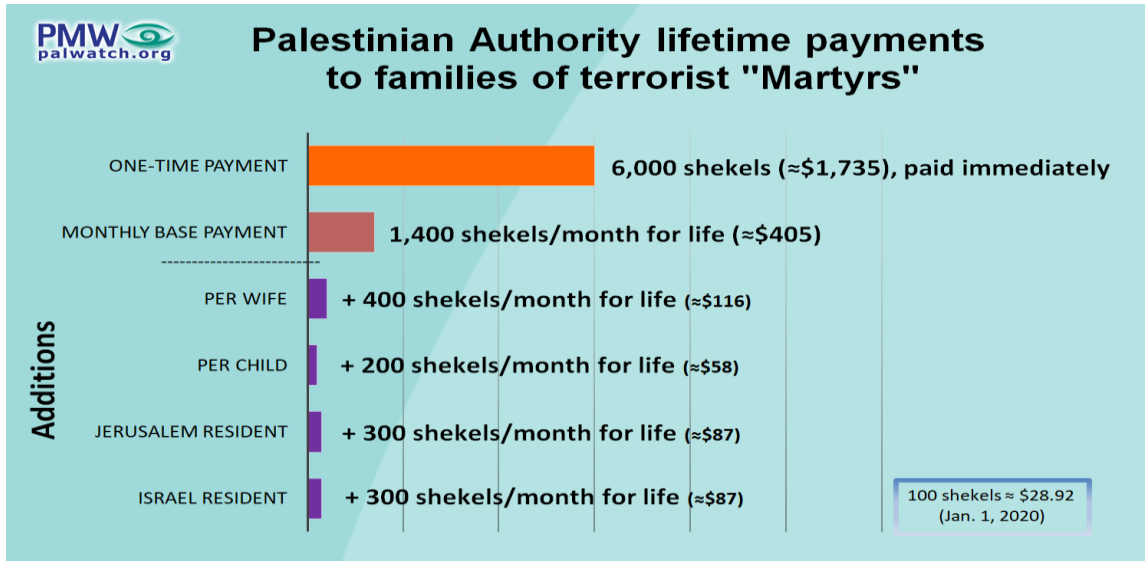
One such demolition carried out in 2019, was the demolition of the house of the murderer of US and Israeli citizen Ari Fuld. While Ari was murdered in September 2018, the house of the perpetrator was only demolished in 2019 having allowed his family to exhaust the due process provisions provided under Israeli law, including a petition to Israel’s Supreme Court. Ari was murdered by a 16-year-old Palestinian terrorist who was raised on the hate-filled messages of the Palestinian Authority. To this day, the PA continues to reward Ari’s murderer - who is now imprisoned in Israel - paying him a monthly salary, which according to PA law and regulations, increases over time.

This PA practice completely ignores the demands of the US’ Taylor Force Act, which “calls on the Palestinian Authority... to stop payments for acts of terrorism by individuals who are imprisoned after being fairly tried and convicted for acts of terrorism and by individuals who died committing acts of terrorism and to repeal the laws authorizing such payments.”

The PA incentivizes terror and rewards terror in many different ways, and this increases the need for Israel to use every possible method to create deterrence, including house demolitions.



Another house demolition followed the murder Staff Sergeant Gal Keidan and father of 12, Rabbi Achiad Ettinger. Their 19-year-old murderer was also raised on the hate-filled messages of the PA. After the terrorist was killed while resisting an attempted arrest, the PA immediately turned the murderer into a Palestinian hero, erecting a monument in his honor and naming a street, a square, a mosque, and a football tournament after him. To this day, ignoring the demands of the Taylor Force Act, the PA continues to pay a monthly allowance to the family of the murderer (See: *“The making of a Palestinian terror superstar”* by Itamar Marcus and Nan Jacques Zilberdik, May 3, 2019 (<https://palwatch.org/page/15580>)).



Significantly, there is clear evidence showing that the demolition of the houses of terrorists is a deterrent against additional acts of terror. For example, there are documented cases in which parents notified the Israeli army of their sons' planned terror attack in order to save their homes.

In addition, the recently released American Peace to Prosperity Plan specifically referred to and permitted the continued demolition of the houses of terrorists.


Accordingly, if US aid or equipment was used to demolish any homes, and we are not privy to this information, it is clear that this use is legitimate, as mandated by AECA.

The lack of integrity of the members of Congress who wrote this letter is obvious from the opening words of the third paragraph, in which the signatories misrepresent themselves "as supporters of the U.S.-Israel special relationship." One of the signatories, Congresswoman Rashida Tlaib, has openly expressed her disdain for Israel. Tlaib recently posted a picture of herself on Facebook wearing a T-shirt with the map of "Palestine" that replaces all of Israel. Democratic Congressman Jerrold Nadler recently criticized her: "The growing anti-Semitism in our political dialogue is repugnant... [the] cartoon forwarded by @RepRashida and @Ilhan can surely be read for its vile underlying message." When Congress passed a resolution to condemn the anti-Israel BDS movement by the vote of 398 – 17, among the 17 were Tlaib as well as other signatories of this letter including Rep. Mark Pocan and Rep. Betty McCollum. Their dishonesty in misrepresenting

themselves as supporters of the “US- Israel special relationship,” is a reflection of the dishonesty of the entire letter.

Accordingly, Mr. Secretary, it is important that you not only unreservedly reject the content of this letter by members of US Congress, but likewise condemn their support for the violation of law, as well as their attempt to tie Israel's hands in its war against terror. The act of writing and publicizing this letter by members of Congress, indicating support for the PA’s illegal construction and rejection of Israel's right to deter terror, will encourage the PA’s policy of building illegally as well as the PA’s promotion of terror. Your statement affirming Israel's right to enforce its laws and to defend itself against terror, even using United States supplied equipment, is urgent at this time.

Yours sincerely,



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