

108TH CONGRESS  
2D SESSION

# H. R. 3725

To prohibit United States military assistance for Egypt and to express the sense of Congress that the amount of military assistance that would have been provided for Egypt for a fiscal year should be provided in the form of economic support fund assistance.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2004

Mr. WEINER introduced the following bill; which was referred to the Committee on International Relations

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## A BILL

To prohibit United States military assistance for Egypt and to express the sense of Congress that the amount of military assistance that would have been provided for Egypt for a fiscal year should be provided in the form of economic support fund assistance.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Egyptian  
5 Counterterrorism and Political Reform Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) Egypt is not a reliable ally in the war on  
2 terrorism.

3           (2) The Middle East Media Research Institute  
4 (MEMRI) reports that only two weeks before the  
5 September 11, 2001, attacks, the Egyptian Govern-  
6 ment daily newspaper Al-Akhbar published a column  
7 that stated: “The Statue of Liberty, in New York  
8 Harbor, must be destroyed because of following the  
9 idiotic American policy that goes from disgrace to  
10 disgrace in the swamp of bias and blind fanati-  
11 cism.”.

12           (3) According to the Middle East Media Re-  
13 search Institute, the Egyptian Government weekly  
14 newspaper Al-Ahram Al-Arabi published on Sep-  
15 tember 22, 2001, an op-ed article that stated: “For  
16 many long years, America made many peoples in the  
17 world cry. It was always [America] that carried out  
18 the acts; now, acts are being carried out [against] it.  
19 A cook who concocts poison must one day also taste  
20 that poison!”.

21           (4) In the 1979 peace treaty between Egypt  
22 and Israel, signed after the Camp David Accords,  
23 each party agreed “to ensure that acts or threats of  
24 belligerency, hostility or violence do not originate  
25 from and are not committed from within its territory

1 . . . against the population, citizens, or property of  
2 the other party.”.

3 (5) The Israeli Defense Forces have repeatedly  
4 found arms smuggling tunnels between Egypt and  
5 the Gaza Strip. More than 40 tunnels were discov-  
6 ered in 2003. Some of these tunnels originate in  
7 Egyptian army and police outposts.

8 (6) Egyptian President Mubarak publicly stated  
9 that Hezbollah had a “right” to attack Israelis in  
10 Southern Lebanon.

11 (7) The Middle East Media Research Institute  
12 reports that Dr. Ahmad Al-Tayyeb, recently ap-  
13 pointed by the Egyptian Government to be the Mufti  
14 of Egypt, told a conference at the University of  
15 Cairo in March 2003 that “martyrdom operations,  
16 in which the Palestinians blow up targets of the  
17 Israeli occupation, are actions that are 100 percent  
18 permitted according to Islamic religious law, and it  
19 is forbidden to facilitate attack of a Muslim country  
20 . . . Any attempt to invade Iraq is forbidden by Is-  
21 lamic religious law and by morality, and Islam for-  
22 bids it, and even commands its believers to resist at-  
23 tempts at invasion and occupation.”.

24 (8) According to the Middle East Media Re-  
25 search Institute, on August 17, 2001, the Egyptian

1 Government daily newspaper Al-Akhbar contained  
2 an editorial that stated: “All that we have left to say  
3 to the sons of Palestine . . . Kill your enemies wher-  
4 ever you may find them. This is a life and death  
5 conflict between you and them and it will not be  
6 over through calming attempts. The only thing that  
7 will force your enemy to surrender and to accept  
8 your demands is force, whatever the sacrifices may  
9 be.”.

10 (9) On May 9, 2003, President Bush stated:  
11 “Over time, the expansion of liberty throughout the  
12 world is the best guarantee of security throughout  
13 the world. Freedom is the way to peace. . . . We’re  
14 determined to help build a Middle East that grows  
15 in hope, instead of resentment. Because of the ideals  
16 and resolve of this Nation, you and I will not live  
17 in an age of terror. We will live in an age of lib-  
18 erty.”.

19 (10) In November 2003 President Bush stated:  
20 “The great and proud nation Egypt . . . should show  
21 the way toward democracy in the Middle East.”.

22 (11) The United States Government’s Middle  
23 East Partnership Initiative (MEPI) “champions an  
24 expanded public space where democratic voices can

1 be heard in the political process, and the people have  
2 a choice in governance”.

3 (12) Egypt is a dictatorship. The due process  
4 and separation of powers key to any functioning de-  
5 mocracy have been stifled in Egypt since Hosni Mu-  
6 barak assumed the presidency more than 22 years  
7 ago. The so-called emergency powers he renews  
8 every three years allow him to arrest political oppo-  
9 nents, their family and friends. Some experts believe  
10 that President Mubarak’s refusal to name a suc-  
11 cessor or vice president suggests his intention to  
12 have his son, Gamal Mubarak, succeed him.

13 (13) Egypt regularly tortures its citizens. Ac-  
14 cording to the Egyptian Organization for Human  
15 Rights approximately 13,000 to 16,000 people are  
16 detained without charge on suspicion of security or  
17 political offenses in Egypt each year. Amnesty Inter-  
18 national published a report last year stating that  
19 “everyone taken into detention in Egypt is at risk of  
20 torture”.

21 (14) The Washington Post reported on January  
22 6, 2004, that 14 people have been allegedly tortured  
23 and killed in Egyptian jails over the course of the  
24 past 2 years.

1           (15) The Coptic Christian minority of between  
2           6 and 10 million in Egypt is victimized regularly,  
3           and remains without protection. The Government of  
4           Egypt has never taken responsibility for the arrest  
5           and torture of more than 1,200 Copts in late 1998  
6           in the wake of sectarian violence.

7           (16) In the 1979 peace treaty between Egypt  
8           and Israel, each party agreed “that the normal rela-  
9           tionship between them will include full recognition,  
10          diplomatic, economic and cultural relations, termi-  
11          nation of economic boycotts, and discriminatory bar-  
12          riers to the free movement of people and good, and  
13          will guarantee the mutual enjoyment by citizens of  
14          the due process of law”.

15          (17) As a member of the Arab League, which  
16          maintains a boycott against Israel, Egypt recalled its  
17          ambassador to Israel in November of 2000, putting  
18          immense strain on the diplomatic relations estab-  
19          lished between the two countries 25 years ago at  
20          Camp David.

21          (18) In the 1979 peace treaty between Egypt  
22          and Israel, each party agreed that “the Parties shall  
23          seek to foster mutual understanding and tolerance  
24          and will, accordingly, abstain from hostile propa-  
25          ganda against each other”.

1           (19) The American Jewish Committee reported  
2           that the government controlled newspaper, Al-  
3           Ahkbar, published two award-winning columns enti-  
4           tled, “Thanks to Hitler”. The Middle East Media  
5           Research Institute reported that another government  
6           controlled paper, Al-Ahram, suggested that “respon-  
7           sibility for [the August bombing in the Iraqi city of  
8           Najaf] is Western responsibility—and more specifi-  
9           cally, American”.

10           (20) The television series “Knight Without a  
11           Horse” was broadcast on Egypt’s state-run tele-  
12           vision during Ramadan 2002. The television pro-  
13           gram was based on the Protocols of the Elders of  
14           Zion, an anti-Semitic document that suggests that  
15           Jews are planning to take over the world.

16           (21) On March 23, 2003, The Washington Post  
17           reported: “The most popular singer in Egypt is  
18           Shaaban Abdel-Rahim, an illiterate man whose tape  
19           ‘I hate Israel’ has sold more than 5 million copies.  
20           One of the most successful plays, ‘Mama America’,  
21           a virulently anti-American piece by well-known artist  
22           Mohammed Sobhi, has been running for months.”.

1 **SEC. 3. PROHIBITION ON UNITED STATES MILITARY AS-**  
2 **SISTANCE FOR EGYPT.**

3 (a) PROHIBITION.—Notwithstanding any other provi-  
4 sion of law, for fiscal year 2005 and subsequent fiscal  
5 years, United States military assistance may not be pro-  
6 vided for Egypt.

7 (b) WAIVER.—The President may waive the applica-  
8 tion of subsection (a) for a fiscal year if the President  
9 determines and certifies to Congress that it is in the na-  
10 tional security interests of the United States to do so.

11 **SEC. 4. SENSE OF CONGRESS.**

12 It is the sense of Congress that—

13 (1) the amount of United States military assist-  
14 ance that would have been provided for Egypt for a  
15 fiscal year but for the application of section 3(a)  
16 should be provided for Egypt for such fiscal year in  
17 the form of economic support fund assistance under  
18 chapter 4 of part II of the Foreign Assistance Act  
19 of 1961 and further that such assistance should be  
20 in addition to economic support fund assistance al-  
21 ready proposed to be provided for Egypt for such  
22 fiscal year;

23 (2) funds for economic support fund assistance  
24 for Egypt should not be used by the armed forces  
25 of Egypt;

1           (3) 30 days prior to the initial obligation of  
2 funds for economic support fund assistance for  
3 Egypt for a fiscal year, the President should certify  
4 to Congress that procedures have been established to  
5 ensure that the Comptroller General will have access  
6 to appropriate United States financial information in  
7 order to review the uses of such funds; and

8           (4) the agreement among the United States,  
9 Egypt, and Israel to decrease the overall amount of  
10 United States foreign assistance for both countries  
11 should continue.

12 **SEC. 5. DEFINITION.**

13       In this Act, the term “United States military assist-  
14 ance” means—

15           (1) assistance for nonproliferation, anti-ter-  
16 rorism, demining and related programs and activi-  
17 ties, including assistance under chapter 8 of part II  
18 of the Foreign Assistance Act of 1961 (relating to  
19 anti-terrorism assistance) and assistance under  
20 chapter 9 of part II of such Act, section 504 of the  
21 FREEDOM Support Act, section 23 of the Arms  
22 Export Control Act, or the Foreign Assistance Act  
23 of 1961 for demining activities, the clearance of  
24 unexploded ordnance, the destruction of small arms,  
25 and related activities;

1           (2) assistance under section 541 of the Foreign  
2 Assistance Act of 1961 (relating to international  
3 military education and training); and

4           (3) assistance under section 23 of the Arms Ex-  
5 port Control Act (relating to the “Foreign Military  
6 Finance” program).

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