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Israel: Background and U.S. Relations in Brief

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SUMMARY

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Israel: Background and U.S. Relations in Brief

Strong relations between the United States and Israel have led to bilateral cooperation in many areas. Matters of particular significance to U.S.-Israel relations include

- Israel's ability to address the threats it faces in its region.
- Shared U.S.-Israel concerns about Iran and its allies on the nuclear issue and in Syria and Lebanon.
- Israeli-Palestinian issues.
- Israeli domestic political issues, including elections scheduled for 2019.

Israel relies on a number of strengths to manage potential threats to its security and existence. It maintains conventional military superiority relative to its neighbors and the Palestinians, and it takes measures to deter attack and defend its population and borders—including from evolving asymmetric threats such as rockets and missiles, cross-border tunneling, drones, and cyberattacks. Israel also has an undeclared but presumed nuclear weapons capability.

Israel's leaders and supporters routinely make the case that Israel's security and the broader stability of the region remain critically important for U.S. interests. A 10-year bilateral military aid memorandum of understanding (MOU)—signed in 2016—commits the United States to provide Israel $3.3 billion in Foreign Military Financing annually from FY2019 to FY2028, along with additional amounts from Defense Department accounts for missile defense. All of these amounts remain subject to congressional appropriations.

Israeli officials seek to counter Iranian regional influence and prevent Iran from acquiring nuclear weapons. Prime Minister Binyamin Netanyahu released new Israeli intelligence on Iran's nuclear program in April 2018, days before President Trump announced the U.S. withdrawal from the 2015 international agreement that constrains Iran's nuclear activities. It is unclear whether Israel might take future military action in Iran if Iranian nuclear activities resume. In 2018, Israel has conducted a number of military operations in Syria against Iran and its allies, including Lebanese Hezbollah. Since Russia installed an S-300 air defense system in Syria following the inadvertent downing of one of its aircraft by Syrian anti-aircraft fire in the wake of a September Israeli airstrike, Israel-Iran violence in Syria has decreased. The two countries appear to have shifted some of their focus toward gaining military advantage over each other at the Israel-Lebanon border.

The prospects for an Israeli-Palestinian peace process are complicated by many factors. Palestinian leaders cut off high-level political contacts with the Trump Administration after it recognized Jerusalem as Israel's capital in December 2017. In 2018, U.S.-Palestinian tensions worsened amid U.S. cutoffs of funding to the Palestinians and diplomatic moves—including the May opening of the U.S. embassy to Israel in Jerusalem. Palestinian leaders interpreted these actions as prejudicing their claims to a capital in Jerusalem and to a just resolution of Palestinian refugee claims. Israeli Prime Minister Netanyahu has welcomed these U.S. actions. The Trump Administration has suggested that it will release a proposed peace plan in 2019. Speculation continues about possible U.S. efforts to extract concessions from Israel or to have Arab states press Palestinians on aspects of the peace plan. Bouts of tension and violence in 2018 between Israel and Hamas in Gaza have occurred—reportedly accompanied by indirect talks between the two parties that are being brokered by Egypt and aim for a long-term cease-fire.

Domestically, Israel is preparing for elections scheduled for 2019. During 2018, the Israeli police have recommended that Prime Minister Netanyahu be indicted for breach of trust in three separate cases. The attorney general may determine whether to press charges in 2019. Netanyahu's Likud party still leads in polling, and he reportedly seeks to gain a popular mandate to remain in office even if he is indicted. Observers question whether an alliance made up of leading politicians and former generals might gain the popular support necessary to unseat Netanyahu.

Contents

Introduction: Key Concerns for U.S.-Israel Relations 1
How Israel Addresses Threats 2
Military Superiority and Homeland Security Measures 2
Undeclared Nuclear Weapons Capability 3
U.S. Cooperation 3
Iran and the Region 4
Iranian Nuclear Agreement and the U.S. Withdrawal 4
Iran in Syria: Cross-Border Attacks with Israel 5
Russia 6
Hezbollah in Lebanon 6
Israeli-Palestinian Issues 7
Peace Process and International Involvement 7
Jerusalem: U.S. Stance and Embassy Move 11
Domestic Israeli Developments 12
Netanyahu Corruption Allegations and 2019 Elections 12
Basic Law: Israel as Nation State of the Jewish People 14

Figures

Figure 1. Israel: Map and Basic Facts 2
Figure 2. Interim Embassy Location 11

Contacts

Author Information 14

Introduction: Key Concerns for U.S.-Israel Relations

Strong relations between the United States and Israel have led to bilateral cooperation in many areas. Matters of particular significance include

- Israel's own capabilities for addressing threats, and its cooperation with the United States.
- Shared U.S.-Israel concerns about Iran, within the context of the U.S. exit from the 2015 international nuclear agreement, and growing tension involving Iran and Hezbollah at Israel's northern border with Syria and Lebanon.
- Israeli-Palestinian issues involving Jerusalem, Hamas and the Gaza Strip, and a possible Trump Administration peace plan.
- Israeli domestic political issues, including criminal cases pending against Prime Minister Binyamin Netanyahu and how they might affect elections that will take place in 2019.

For background information and analysis on these and other topics, including aid, arms sales, and missile defense cooperation, see CRS Report RL33476, *Israel: Background and U.S. Relations*, by Jim Zanotti; and CRS Report RL33222, *U.S. Foreign Aid to Israel*, by Jeremy M. Sharp.

Figure 1. Israel: Map and Basic Facts

Notes: According to the Department of State (1) The West Bank is Israeli occupied with current status subject to the 1995 Israeli-Palestinian Interim Agreement; permanent status to be determined through further negotiation. (2) The status of the Gaza Strip is a final status issue to be resolved through negotiations. (3) The United States recognized Jerusalem as Israel's capital in 2017 without taking a position on the specific boundaries of Israeli sovereignty. (4) Boundary representation is not necessarily authoritative. See https://www.state.gov/p/nea/ci/is/.

Sources: Graphic created by CRS. Map boundaries and information generated by Hannah Fischer using Department of State Boundaries (2011); Esri (2013); the National Geospatial-Intelligence Agency GeoNames Database (2015); DeLorme (2014). Fact information from CIA, *The World Factbook*; Economist Intelligence Unit; IMF World Outlook Database; Israel Central Bureau of Statistics. All numbers are estimates and as of 2017 unless specified.

How Israel Addresses Threats

Israel relies on a number of strengths to manage potential threats to its security and existence.

Military Superiority and Homeland Security Measures

Israel maintains conventional military superiority relative to its neighbors and the Palestinians. Shifts in regional order and evolving asymmetric threats have led Israel to update its efforts to project military strength, deter attack, and defend its population and borders. Israel appears to

have reduced some unconventional threats via missile defense systems, reported cyber defense and warfare capabilities, and heightened security measures vis-à-vis Palestinians.

Israel has a robust homeland security system featuring sophisticated early warning practices and thorough border and airport security controls; most of the country's buildings have reinforced rooms or shelters engineered to withstand explosions. Israel also has proposed and partially constructed a national border fence network of steel barricades (accompanied at various points by watch towers, patrol roads, intelligence centers, and military brigades) designed to minimize militant infiltration, illegal immigration, and smuggling from Egypt, Syria, Lebanon, Jordan, and the Gaza Strip.[1] Additionally, Israeli authorities have built a separation barrier in and around parts of the West Bank.[2]

Undeclared Nuclear Weapons Capability

Israel is not a party to the Nuclear Nonproliferation Treaty (NPT) and maintains a policy of "nuclear opacity" or *amimut*. A 2017 report estimated that Israel possesses a nuclear arsenal of around 80-85 warheads.[3] The United States has countenanced Israel's nuclear ambiguity since 1969, when Israeli Prime Minister Golda Meir and U.S. President Richard Nixon reportedly reached an accord whereby both sides agreed never to acknowledge Israel's nuclear arsenal in public.[4] Israel might have nuclear weapons deployable via aircraft, submarine, and ground-based missiles.[5] No other Middle Eastern country is generally thought to possess nuclear weapons.

U.S. Cooperation

Israeli officials closely consult with U.S. counterparts in an effort to influence U.S. decision-making on key regional issues, and U.S. law requires the executive branch to take certain actions to preserve Israel's "qualitative military edge," or QME.[6] Israel's leaders and supporters routinely make the case that Israel's security and the broader stability of the region remain critically important for U.S. interests. They also argue that Israel has multifaceted worth as a U.S. ally and that the Israeli and American peoples share core values.[7] The United States and Israel do not have a mutual defense treaty or agreement that provides formal U.S. security guarantees.[8]

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[1] Gad Lior, "Cost of border fences, underground barrier, reaches NIS 6bn," Ynetnews, January 30, 2018.

[2] Ibid.; CRS Report RL33476, *Israel: Background and U.S. Relations*, by Jim Zanotti.

[3] Hans M. Kristensen and Robert S. Norris, "Worldwide deployment of nuclear weapons, 2017," *Bulletin of the Atomic Scientists*, vol. 73(5), 2017, pp. 289-297.

[4] Eli Lake, "Secret U.S.-Israel Nuclear Accord in Jeopardy," *Washington Times*, May 6, 2009.

[5] Kristensen and Norris, op. cit.; "Strategic Weapon Systems," *Jane's Sentinel Security Assessment—Eastern Mediterranean*, June 26, 2018; "Operation Samson: Israel's Deployment of Nuclear Missiles on Subs from Germany," *Der Spiegel*, June 4, 2012.

[6] CRS Report RL33476, *Israel: Background and U.S. Relations*, by Jim Zanotti; CRS Report RL33222, *U.S. Foreign Aid to Israel*, by Jeremy M. Sharp.

[7] Joshua S. Block, "An ally reminds us of its value," jpost.com, May 8, 2018; Marty Oliner, "US-Israel relationship: More critical than ever," *The Hill*, May 3, 2017.

[8] The United States and Israel do, however, have a Mutual Defense Assistance Agreement (TIAS 2675, dated July 23, 1952) in effect regarding the provision of U.S. military equipment to Israel, and have entered into a range of stand-alone agreements, memoranda of understanding, and other arrangements varying in their formality.

U.S. Military Aid and Pending Legislation

A 10-year bilateral military aid memorandum of understanding (MOU)—signed in 2016—commits the United States to provide Israel $3.3 billion in Foreign Military Financing annually from FY2019 to FY2028, subject to congressional appropriations.

The U.S.-Israel Security Assistance Authorization Act of 2018 (S. 2497 and H.R. 5141) would, among other things, authorize FMF at the amount specified in the MOU.[9] In November 2018, Senator Rand Paul placed an informal hold on S. 2497, citing a desire to limit U.S. aid generally, and aid to Israel in "time and scope." Senator Paul also reportedly said that aid to Israel should be paid for "by cutting the aid to people who hate Israel and America."[10]

Iran and the Region

Iran remains of primary concern to Israeli officials largely because of (1) Iran's antipathy toward Israel, (2) Iran's broad regional influence, and (3) the possibility that Iran will be free of nuclear program constraints in the future. In recent years, Israel and Arab Gulf states have discreetly cultivated closer relations with one another in efforts to counter Iran.

Iranian Nuclear Agreement and the U.S. Withdrawal

Prime Minister Netanyahu has sought to influence U.S. decisions on the international agreement on Iran's nuclear program (known as the Joint Comprehensive Plan of Action, or JCPOA). He argued against the JCPOA when it was negotiated in 2015—including in a speech to a joint session of Congress—and welcomed President Trump's May 2018 withdrawal of the United States from the JCPOA and accompanying reimposition of U.S. sanctions on Iran's core economic sectors. In a September 2017 speech before the U.N. General Assembly, Netanyahu called on the signatories of the JCPOA to "fix it or nix it."[11] A few days before President Trump's May announcement, Netanyahu presented information that Israeli intelligence operatives apparently seized in early 2018 from an Iranian archive. He used the information to question Iran's credibility and highlight its potential to parlay existing know-how into nuclear-weapons breakthroughs after the JCPOA expires.[12] In his September 2018 speech before the U.N. General Assembly, Netanyahu claimed that Iran maintains a secret "atomic warehouse for storing massive amounts of equipment and materiel."[13] An unnamed U.S. intelligence official was quoted as

[9] CRS Report RL33476, *Israel: Background and U.S. Relations*, by Jim Zanotti. Regardless of whether S. 2497 or other authorizing legislation were to pass, Congress would still need to enact separate appropriations provisions to provide necessary budget authority for the FMF. See CRS Report RS20371, *Overview of the Authorization-Appropriations Process*, by Bill Heniff Jr. The MOU also provides for $500 million annually in U.S. contributions (as with FMF, subject to congressional appropriations) to various U.S.-Israel rocket and missile defense programs from the Defense Department budget.

[10] Ron Kampeas, "Rand Paul: Aid to Israel should be 'limited in time and scope,'" Jewish Telegraphic Agency, November 28, 2018.

[11] Israeli Prime Minister's Office, PM Netanyahu's Speech at the United Nations General Assembly, September 19, 2017. Netanyahu and his supporters in government have routinely complained that the JCPOA fails to address matters not directly connected to Iran's nuclear program, such as Iran's development of ballistic missiles and its sponsorship of terrorist groups. See, e.g., Israeli Prime Minister's Office, Statement by PM Netanyahu, May 8, 2018; Jonathan Ferziger and Udi Segal, "Netanyahu's Challenge: Help Trump Fix or Scrap the Iran Deal," Bloomberg, October 18, 2017.

[12] Israeli Prime Minister's Office, PM Netanyahu reveals the Iranian secret nuclear program, April 30, 2018.

[13] Israeli Prime Minister's Office, PM Netanyahu's Speech at the United Nations General Assembly, September 27, 2018.

saying in response, "so far as anyone knows, there is nothing in [the facility Netanyahu identified] that would allow Iran to break out of the JCPOA any faster than it otherwise could."[14]

Commentators speculate on the possibility that Israel might act militarily against Iranian nuclear facilities if Iran abrogates the agreement and resumes nuclear activities currently stopped under the JCPOA.[16] However, shortly after Netanyahu publicly presented the Iranian nuclear archive in May, he said in an interview that he was not seeking a military confrontation with Iran.[17]

Iran in Syria: Cross-Border Attacks with Israel[18]

A "shadow war" has developed between Israel and Iran over Iran's presence in Syria. In the early years of the Syria conflict, Israel primarily employed airstrikes to prevent Iranian weapons shipments destined for Hezbollah in Lebanon. Since 2017, with the government of Bashar al Asad increasingly in control of large portions of Syria's territory, Israeli leaders have expressed intentions to prevent Iran from constructing and operating bases or advanced weapons manufacturing facilities in Syria.[19] The focus of Israeli military operations in Syria has reportedly expanded in line with an increasing number of Iran-related concerns there.[20]

During 2018, Israeli and Iranian forces have repeatedly targeted one another in and over Syrian- and Israeli-controlled areas. While Israel has conducted numerous air strikes inside Syria since 2012—mostly on targets linked to weapons shipments to Lebanese Hezbollah—the 2018 strikes appear for the first time to have directly targeted Iranian facilities and personnel in Syria. Limited Israeli strikes to enforce "redlines" against Iran-backed forces could expand into wider

Key Incidents in 2018

February 10 – An Iranian drone crossed from Syria into Israel, where the Israeli military shot it down. Israel struck the T4 (Tiyas) military base in central Syria, from which it assessed the drone was launched. Syrian antiaircraft fire downed an Israeli F-16 participating in the operation (the plane crashed in northern Israel and the pilots ejected). Israel then struck eight Syrian and four Iranian military targets in Syria.

May 9-10 – After an alleged Israeli strike on a target in a Syrian town on the evening of May 9, Iranian forces in Syria fired rockets into the Israeli-occupied Golan Heights in the early morning of May 10. In response, Israel struck dozens of Iranian military targets inside Syria.

September 17 – Israel struck military targets near the Syrian cities Lattakia, Homs, and Hamah. A Syrian antiaircraft battery responding to the Israeli strikes mistakenly downed a Russian military surveillance plane, killing 15 Russian personnel. An IDF spokesperson stated that Israeli jets were targeting "a facility of the Syrian Armed Forces from which systems to manufacture accurate and lethal weapons were about to be transferred on behalf of Iran to Hezbollah in Lebanon."[15]

[14] John Irish and Arshad Mohammed, "Netanyahu, in U.N. speech, claims secret Iranian nuclear site," Reuters, September 27, 2018.

[15] https://twitter.com/IDFSpokesperson/status/1042016239449722882.

[16] See, e.g., Former Israeli military intelligence chief Amos Yadlin, cited in David M. Halbfinger, "For Israel's Prime Minister, Vindication and New Threats to Confront," *New York Times*, May 9, 2018.

[17] James Masters, "Israeli PM Benjamin Netanyahu defends Iran nuclear claims in face of criticism," CNN, May 1, 2018.

[18] For more information on this issue, see CRS In Focus IF10858, *Iran and Israel: Tension Over Syria*, by Carla E. Humud, Kenneth Katzman, and Jim Zanotti.

[19] See, e.g., Israeli Prime Minister's Office, PM Netanyahu's Speech at the United Nations General Assembly, September 27, 2018.

[20] Daniel L. Byman, "Will Israel and Iran go to war in Syria?" Brookings Institution, October 5, 2018.

conflict, particularly if there is a miscalculation by one or both sides. Israel also is reportedly monitoring the possible presence of Iranian weapons, including ballistic missiles, in Iraq.[21]

U.S. involvement in Syria could be one factor in Israeli calculations on this issue. In September 2018, U.S. National Security Advisor John Bolton stated, "We're not going to leave [Syria] as long as Iranian troops are outside Iranian borders and that includes Iranian proxies and militias."[22]

Russia

Russia's advanced air defense systems in Syria could make it more difficult for Israel to operate there. Since 2015, Russia has operated an S-400 system at Russia's Khmeimim air base in Lattakia. To date, however, Russia does not appear to have acted militarily to thwart Israeli airstrikes against Iranian or Syrian targets, and Israel and Russia maintain communications aimed at deconflicting their operations.

In response to Syria's downing of the Russian military surveillance plane in September 17, 2018 (see textbox), Russia delivered an S-300 air defense system to Khmeimim airbase in Lattakia in October. It is unclear whether or when Moscow will transfer the S-300 to full Syrian military control, and how this might affect future Israeli military action in Syria. An Israeli journalist has written that "Israel has the knowledge, experience and equipment to evade the S-300, but the fact that additional batteries, manned by Russian personnel, are on the ground, will necessitate greater care [when carrying out future operations against Iran-aligned targets in Syria]."[23] Since the September 17 incident, Israeli airstrikes appear to have dropped considerably.[24]

Hezbollah in Lebanon

Hezbollah's forces and Israel's military have sporadically fought near the Lebanese border for decades—with the antagonism at times contained in the border area, and at times escalating into broader conflict.[25] Speculation persists about the potential for wider conflict and its regional implications.[26] In recent years, Israeli officials have sought to draw attention to Hezbollah's weapons buildup—including reported upgrades to the range, precision, and power of its projectiles—and its alleged use of Lebanese civilian areas as strongholds.[27]

Increased conflict between Israel and Iran over Iran's presence in Syria raises questions about the potential for Hezbollah's forces in Lebanon to open another front against Israel. One May 2018 analysis said that although "miscalculation-driven escalation still cannot be ruled out," Hezbollah was probably deterred from attacking Israel and risking its political achievements within

[21] Dan Williams, "Israel signals it could attack Iranian weaponry in Iraq," Reuters, September 3, 2018.

[22] Joe Gould and Tara Copp, "Bolton: US troops staying in Syria until Iran leaves," DefenseNews, September 24, 2018.

[23] Anshel Pfeffer, "With S-300 Now in Syria, Putin Signals a New Long-term Strategy for Russia," haaretz.com, October 4, 2018.

[24] Avi Issacharoff, "Iran, facing off against Israel in Syria, now sending arms directly to Lebanon," *Times of Israel*, November 30, 2018.

[25] CRS Report R44759, *Lebanon*, by Carla E. Humud; CRS In Focus IF10703, *Lebanese Hezbollah*, by Carla E. Humud.

[26] For possible conflict scenarios, see Seth G. Jones and Maxwell B. Markusen, "The Escalating Conflict with Hezbollah in Syria," Center for Strategic and International Studies, June 2018; *Israel's Next Northern War: Operational and Legal Challenges*, Jewish Institute for National Security of America, October 2018; Mara Karlin, "Israel's Coming War with Hezbollah," *Foreign Affairs*, February 21, 2018.

[27] See, e.g., Jonathan Spyer and Nicholas Blanford, "UPDATE: Israel raises alarm over advances by Hizbullah and Iran," *Jane's Intelligence Review*, January 11, 2018; Exum, op. cit.

Lebanon.[28] However, after the September 17 incident (see textbox above) leading to Russia's installation of an S-300 system in Syria, Iran reportedly has begun directly transferring weapons to Hezbollah in Lebanon while reducing Syria's use as a transshipment hub.[29] One Israeli media account warned that Hezbollah's threat to Israel is increasing because of initiatives to build precision-weapons factories in Lebanon and to set up a military infrastructure in southern Syria.[30] In December 2018, Israel's military announced that it was in the process of destroying Hezbollah attack tunnels that cross into Israel.[31] Israeli officials claim that they do not want another war, while at the same time taking measures aimed at constraining and deterring Hezbollah, including through consultation with the U.N. Interim Force in Lebanon (UNIFIL).[32]

Israeli-Palestinian Issues

Peace Process and International Involvement

Prospects for an Israeli-Palestinian peace process are complicated by many factors, even though President Trump has expressed interest in brokering a final-status Israeli-Palestinian agreement. These factors include the status of Jerusalem, the situation in Gaza, and political jockeying and domestic constraints on both sides.

The change in U.S. policy on Jerusalem in December 2017 (see "Jerusalem: U.S. Stance and Embassy Move" below) has fed U.S.-Palestinian tensions. Israeli leaders generally celebrated the change, but Palestine Liberation Organization (PLO) Chairman and Palestinian Authority (PA) President Mahmoud Abbas strongly objected.[33] Many other countries opposed President Trump's actions on Jerusalem. This opposition was reflected in action at the United Nations.[34]

Citing alleged U.S. bias favoring Israel, Palestinian leaders broke off high-level political contacts with the United States and have sought support from other international actors and

[28] Assaf Orion and Amos Yadlin, "Iran in the Nuclear Realm and Iran in Syria: A New State of Play," Institute for National Security Studies, Insight No. 1055, May 14, 2018.

[29] Issacharoff, op. cit.

[30] Avi Issacharoff, "Of course Hezbollah was tunneling under the border. Why wouldn't it?" *Times of Israel*, December 4, 2018. See also Katherine Bauer et al., "Iran's Precision Missile Project Moves to Lebanon," Washington Institute for Near East Policy, December 2018.

[31] https://twitter.com/IDF/status/1069826169804070912.

[32] Amos Harel, "Israel Seeks to Leverage Op Against Hezbollah Tunnels to Complete Lebanon Border Wall," haaretz.com, December 9, 2018; Felicia Schwartz and Dov Lieber, "Israel Warns Lebanon of Possible Strikes," *Wall Street Journal*, December 10, 2018. For more on UNIFIL, see CRS Report R44759, *Lebanon*, by Carla E. Humud.

[33] Adam Rasgon, "Abbas Slams Trump Jerusalem Move as 'Condemned, Unacceptable,'" jpost.com, December 6, 2017.

[34] On December 18, the United States vetoed a draft Security Council resolution that was backed by all other 14 members of the Council. The resolution would have reaffirmed past Security Council resolutions on Jerusalem, nullified actions purporting to alter "the character, status or demographic composition of the Holy City of Jerusalem," and called upon all states to refrain from establishing diplomatic missions in Jerusalem. U.N. document S/2017/1060, "Egypt: Draft Resolution." On December 21, the U.N. General Assembly adopted a nonbinding resolution (by a vote of 128 for, nine against, and 35 abstaining) that contained language similar to the draft Security Council resolution.

organizations.[35] However, the Palestinian Authority (PA) continues security coordination with Israel in the West Bank.[36]

U.S.-Palestinian tensions throughout 2018 appear to have influenced Administration decisions to cut off various types of U.S. funding to the Palestinians,[37] and have dimmed prospects for restarting Israeli-Palestinian talks.[38] In his September 2018 address before the U.N. General Assembly, PLO Chairman/PA President Abbas denounced Administration actions that he characterized as taking disputed Israeli-Palestinian issues—such as Jerusalem's status and Palestinian refugee claims—off the negotiating table.[39] President Trump had said in August that because Israel benefitted from the U.S. policy change on Jerusalem, the Palestinians "will get something very good, because it's their turn next."[40] Yet, two developments that took place after this statement led the Palestinians and many observers to presume that the Administration was downgrading U.S.-Palestinian relations further. In September, the State Department announced that the PLO's Washington, DC, office would close.[41] Then in October, it stated that the U.S. consulate general in Jerusalem (for decades, an independent diplomatic mission to the Palestinians) would lose its independent status and become a subsidiary "Palestinian affairs unit" within the U.S. embassy to Israel.[42] The timing of the consulate general's change in status has not been specified.

Gaza's Complicated Security, Political, and Humanitarian Situation

The Gaza Strip, a very densely populated territory to which access is controlled by Israel and Egypt, faces a precarious security situation linked to poor humanitarian conditions. Because Hamas has controlled Gaza since 2007, Israel and Egypt cite security concerns in limiting the movement of people and goods to and from Gaza, and these limitations have been a factor in preventing Gaza from having a self-sufficient economy. For more information, see CRS Report RL34074, *The Palestinians: Background and U.S. Relations*, by Jim Zanotti.

In this environment, external assistance largely drives humanitarian welfare in Gaza. Significant U.S. and PA reductions in funding for Gaza since 2017 have further affected the humanitarian assessment.[43] Much of the focus from international organizations has been on the possibility that funding cuts could make a difficult situation in Gaza worse.[44] The potential for a humanitarian crisis to destabilize Gaza has prompted discussions and some

[35] Ahmad Melham, "Abbas reaches out to Europeans to help rebuild negotiations framework," *Al-Monitor Palestine Pulse*, January 31, 2018; Khaled Abu Toameh and Stuart Winer, "Palestinians court Russia as new broker in peace process," *Times of Israel*, February 2, 2018; "US weighs UN funding cuts after Palestinians join agencies," Agence France Presse, May 23, 2018; International Criminal Court statement, "Statement by ICC Prosecutor, Mrs Fatou Bensouda, on the referral submitted by Palestine," May 22, 2018.

[36] See, e.g., Neri Zilber, "Securing the Peace," *American Interest*, November 16, 2018; Adnan Abu Amer, "US, Palestinian political fallout hasn't hampered security ties," *Al-Monitor Palestine Pulse*, June 6, 2018 Neri Zilber and Ghaith al-Omari, *State with No Army, Army with No State: Evolution of the Palestinian Authority Security Forces: 1994-2018*, Washington Institute for Near East Policy, March 2018.

[37] CRS Report RS22967, *U.S. Foreign Aid to the Palestinians*, by Jim Zanotti.

[38] CRS Report RL34074, *The Palestinians: Background and U.S. Relations*, by Jim Zanotti.

[39] "'Jerusalem is not for sale': Full text of Abbas's speech to UN General Assembly," *Times of Israel*, September 28, 2018.

[40] "Trump: Israel will pay 'higher price' in peace talks after embassy move," *Times of Israel*, August 22, 2018.

[41] State Department Spokesperson Heather Nauert, Closure of the PLO Office in Washington, September 10, 2018.

[42] Secretary of State Michael R. Pompeo, On the Merging of U.S. Embassy Jerusalem and U.S. Consulate General Jerusalem, October 18, 2018.

[43] World Bank, Economic Monitoring Report to the Ad Hoc Liaison Committee, September 27, 2018.

[44] For information on the situation, see U.N. Office of Coordination of Humanitarian Affairs in the Occupied Palestinian Territories, Gaza Strip: Early Warning Indicators—June 2018, at https://www.un.org/unispal/wp-content/uploads/2018/07/OCHAINFOGRAEWI_120718.pdf.

efforts among U.S., Israeli, and Arab leaders aimed at improving living conditions and reducing spillover threats.[45] In fall 2018, Israel started allowing shipments of Qatari fuel and cash into Gaza to partially alleviate the electricity shortages and compensate for the PA funding reductions.[46]

Threats to Israel from Hamas and other militant groups based in Gaza have changed over time.[47] Israel and Palestinian militants have engaged in large-scale conflict in Gaza in 2008-2009, 2012, and 2014. Although Palestinian militants maintain rocket and mortar arsenals, Israel's Iron Dome defense system reportedly has decreased the threat to Israel from projectiles during this decade.[48] Additionally, tunnels that Palestinian militants used somewhat effectively in the 2014 conflict have been neutralized to some extent by systematic Israeli efforts, with some financial and technological assistance from the United States.[49] An Israeli military officer was cited in September 2018 as saying that Hamas is investing fewer resources in tunnels that cross into Israel, but continuing to strengthen tunnels within Gaza that could present difficulties for Israeli soldiers deployed inside the territory during a future conflict.[50]

Palestinian protests and violence along security fences that divide Gaza from Israel have attracted international attention in 2018. Some Gazans have demonstrated "popular resistance" in which crowds gather near the fences, and some people try to breach the fences or use rudimentary weapons (slingshots, basic explosives, burning tires) against Israeli security personnel. Others have used incendiary kites or balloons to set fires to arable land in southern Israel.[51] While some of these protests and riots have been organized on a grass-roots level, Hamas has reportedly become more directly involved as they have continued.[52]

Israel has used force in efforts to contain the protests and violence near the Gaza frontier. In June, U.N. General Assembly Resolution ES-10/20 condemned Israeli actions (including the use of live fire) against Palestinian civilians, while also condemning Palestinian rocket attacks from Gaza against Israeli civilians.[53]

Subsequently, Israel-Gaza altercations and occasional spikes in violence (including rocket barrages from Gaza and Israeli air strikes inside Gaza) have continued, fueling speculation about the possibility of greater conflict and its regional implications.[54] According to the U.N. Office for the Coordination of Humanitarian Affairs as of November, during 2018 Israeli personnel had killed more than 250 Gazans and injured thousands more.[55] In mid-November, Israel and Hamas narrowly averted all-out conflict after an Israeli raid uncovered by Hamas inside Gaza contributed to a major escalation that required Egyptian intervention to quiet.[56] Egypt reportedly continues

[45] White House, Readout of the Gaza Conference at the White House, March 14, 2018; Jack Khoury, "Abbas Reportedly Agrees to Cooperate in Gaza Deal Talks," haaretz.com, November 8, 2018.

[46] Oren Liebermann et al., "Suitcases of $15M in cash from Qatar bring relief for Gaza," CNN, November 11, 2018.

[47] For information on Palestinian militants' capabilities in Gaza, see CRS Report RL34074, *The Palestinians: Background and U.S. Relations*, by Jim Zanotti.

[48] Neri Zilber, "Israel and Hamas: Negotiating With Rockets and Bombs," Daily Beast, May 31, 2018. For more on Iron Dome, see CRS Report RL33222, *U.S. Foreign Aid to Israel*, by Jeremy M. Sharp.

[49] CRS Report RL33222, *U.S. Foreign Aid to Israel*, by Jeremy M. Sharp.

[50] Yaniv Kubovich, "Israel's Barrier Will Not Totally Neutralize Gaza Tunnel Threat, Israeli Army Official Says," haaretz.com, September 14, 2018.

[51] Mark Weiss, "Fighting kite terror," *Jerusalem Report*, July 9, 2018; "IDF strikes 2 Hamas posts in Gaza as firefighters tackle balloon blazes," *Times of Israel*, July 16, 2018; Ben Caspit, "Netanyahu feeling the heat from Gaza," *Al-Monitor Israel Pulse*, July 16, 2018; Mark Landler, "As Violence Flares, Kushner Threatens to Abandon Plan to Rebuild Gaza," *New York Times*, July 23, 2018.

[52] Isabel Kershner, "As Tensions Rise With Israel, Hamas Chief Calls for Cease-Fire in Gaza," *New York Times*, October 4, 2018; Fares Akram, "Gaza protests driven by desperation, Hamas organization," Associated Press, April 4, 2018.

[53] http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/ES-10/20.

[54] See, e.g., Megan Specia, "Gaza's Latest Flare-Up: The Implications and the Prospects for Peace," *New York Times*, November 14, 2018; Zev Chafets, "Why Netanyahu opted against a new Gaza invasion," *New York Post*, October 20, 2018; Isabel Kershner, "Israel Blames Iran for Palestinian Rocket Fire from Gaza," *New York Times*, October 28, 2018.

[55] U.N. Office for the Coordination of Humanitarian Affairs—Occupied Palestinian Territory, Protection of Civilians Report, November 6-19, 2018.

[56] David M. Halbfinger, "Violence Escalates After a Botched Raid into Gaza by Israelis," *New York Times*, November 13, 2018; Yaniv Kubovich et al., "Israeli Official on Cease-fire Report: Only Developments on the Ground Will Determine Israeli Reaction," haaretz.com, November 13, 2018. Shortly after the cease-fire was announced, Israeli

to broker indirect Israel-Hamas talks aimed at establishing a long-term cease fire. In December 2018, Israeli authorities and observers asserted that a spate of violent Israeli-Palestinian incidents in the West Bank signaled an effort by Hamas to demonstrate its reach beyond Gaza.[57]

In September, President Trump anticipated that his Administration would release a peace plan sometime in the following two to four months. He also indicated for the first time that his preferred outcome to the Israeli-Palestinian conflict is a two-state solution—a goal that previous Administrations pursued either implicitly or explicitly since the peace process of the 1990s.[58] One December media report indicated that the peace plan's release might be delayed beyond the President's September estimate, but is still scheduled for early 2019.[59]

The Administration seeks support from some Arab states, including Saudi Arabia, the United Arab Emirates, Jordan, and Egypt, for the anticipated U.S. initiative. These Arab states have criticized the U.S. stance on Jerusalem,[60] in line with the reference points for Arab positions embodied in the 2002 Arab Peace Initiative.[61] Arab states' criticism and other factors, like the continuing importance of the Palestinian issue for Arab populations and the international uproar over the apparent murder of Saudi dissident Jamal Khashoggi, may make Arab leaders reluctant to press Palestinians to accept U.S. or Israeli diplomatic demands.[62] Nevertheless, some Arab leaders have reportedly moved toward overt cooperation with Israel in efforts to counter Iranian regional influence,[63] possibly boosting U.S. and Israeli expectations that these leaders will "help bring Palestinians back to the table."[64]

Foreign Minister Avigdor Lieberman resigned while criticizing Israel's military actions as insufficient.

[57] Amos Harel, "West Bank Spirals Into Violence as Hamas Ups Efforts to Orchestrate Attacks," haaretz.com, December 14, 2018; David M. Halbfinger, "West Bank Killings Raise Fears of Expanded Hamas Focus," *New York Times*, December 14, 2018.

[58] White House, Remarks by President Trump and Prime Minister Netanyahu of Israel Before Bilateral Meeting, New York, New York, September 26, 2018.

[59] Michael Wilner, "Trump's peace plan for Israel-Palestinian conflict facing more delays," jpost.com, December 10, 2018.

[60] See, e.g., Amir Tibon, "Saudi King Tells U.S. That Peace Plan Must Include East Jerusalem as Palestinian Capital," *Ha'aretz*, July 29, 2018.

[61] The Arab Peace Initiative offers a comprehensive Arab peace with Israel if Israel were to withdraw fully from the territories it occupied in 1967, agree to the establishment of a Palestinian state with a capital in East Jerusalem, and provide for the "[a]chievement of a just solution to the Palestinian Refugee problem in accordance with UN General Assembly Resolution 194." The initiative was proposed by Saudi Arabia, adopted by the 22-member Arab League (which includes the PLO), and later accepted by the 56-member Organization of the Islamic Conference (now the Organization of Islamic Cooperation) at its 2005 Mecca summit. The text of the initiative is available at http://www.bitterlemons.org/docs/summit.html.

[62] Aaron David Miller and Hillel Zand, "Progress Without Peace in the Middle East," theatlantic.com, November 1, 2018.

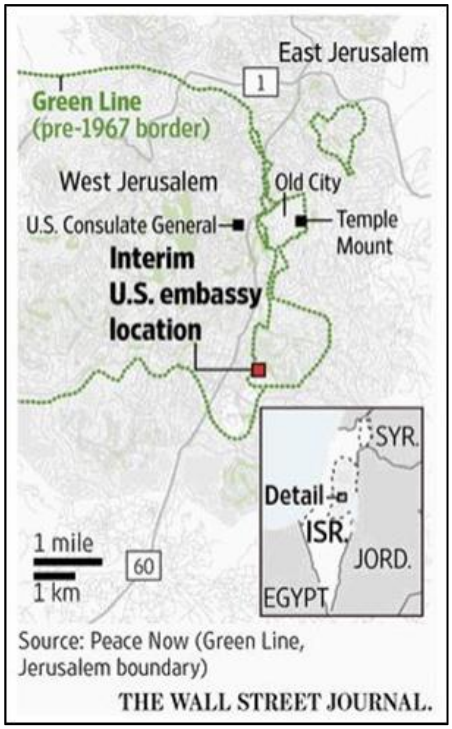
[63] Miller and Zand, op. cit.

[64] Wilner, op. cit.

Jerusalem: U.S. Stance and Embassy Move

In December 2017, President Trump recognized Jerusalem as Israel's capital and pledged to move the U.S. embassy from Tel Aviv to Jerusalem. These actions represented a departure from the decades-long U.S. executive branch practice of not recognizing Israeli sovereignty over Jerusalem or any part of it.[65] The President pointed to the Jerusalem Embassy Act of 1995 (P.L. 104-45) as a significant factor in the policy change. The western part of Jerusalem that Israel has controlled since 1948 has served as the official seat of its government since shortly after its founding as a state. Israel officially considers Jerusalem (including the eastern part it unilaterally annexed after the 1967 Arab-Israeli war, while also expanding the city's municipal boundaries) to be its capital.[66]

Figure 2. Interim Embassy Location



Source: Peace Now via the *Wall Street Journal*.

In his December remarks, President Trump stated that he was not taking a position on "specific boundaries of the Israeli sovereignty in Jerusalem," and would continue to consider the city's final status to be subject to Israeli-Palestinian negotiations.[67] However, he did not explicitly mention Palestinian aspirations regarding Jerusalem; Palestinians envisage East Jerusalem as the capital of their future state. In a February 2018 interview, the President said that he would support specific boundaries as agreed upon by both sides.[68] He also has called on all parties to maintain the "status quo" arrangement at Jerusalem's holy sites.[69]

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[65] See, e.g., Scott R. Anderson and Yishai Schwartz, "How to Move the U.S. Embassy to Jerusalem," November 30, 2017.

[66] In 1980, under the first Likud Party government, the Israeli Knesset passed the Basic Law: Jerusalem—Capital of Israel, which declares "Jerusalem, complete and united, is the capital of Israel." See http://www.mfa.gov.il for the complete text of the Basic Law. Israel had first declared Jerusalem to be its capital in 1950.

[67] White House, Office of the Press Secretary, Statement by President Trump on Jerusalem, December 6, 2017.

[68] Boaz Bismuth, "Trump to Israel Hayom: The Palestinians are not looking to make peace," *Israel Hayom*, February 11, 2018. The President previously said that "we took Jerusalem off the table." White House, Remarks by President Trump and Prime Minister Netanyahu of Israel Before Bilateral Meeting, Davos, Switzerland, January 25, 2018. This fueled media speculation about whether the President was simply referring to what he had already done (i.e., recognize some unspecified portion of Jerusalem as Israel's capital), or whether his policy on Jerusalem might more broadly foreclose Palestinian claims to East Jerusalem and its holy sites.

[69] Under the "status quo" arrangement (which is largely based on past practices dating from the 16th century until the 1948 Arab-Israeli war), Muslims can access the Temple Mount/Haram al Sharif and worship there, while Jews and other non-Muslims are permitted limited access but not permitted to worship. Jewish worship is permitted at the Western Wall at the base of the Temple Mount/Haram al Sharif. For more information, see CRS Report RL33476, *Israel: Background and U.S. Relations*, by Jim Zanotti.

The U.S. embassy opened in Jerusalem on May 14, 2018, at a building previously used as a consulate in the Arnona neighborhood, amid criticism from several international actors and violence on the same day at the Gaza-Israel frontier.[70] According to the State Department spokesperson, the site is located "partly in West Jerusalem and partly in what's considered no man's land," as it lies "between the 1949 armistice lines" in a zone that was demilitarized between 1949 and 1967.[71] The White House stated that it cost $400,000 to modify the facility to function as an embassy.[72] The ambassador's official residence is to transition to Jerusalem at a later date.[73] The State Department has said that one of its next steps would be to construct an embassy annex on the Arnona compound, while also considering options for a permanent Embassy over the long term.[74]

Congress could consider a number of legislative and oversight options with regard to the plans to expand the embassy at the Arnona site and later to construct a permanent embassy. These options could focus on funding, timeframe and logistics, progress reports, and security for embassy facilities and staff. In July 2018, the State Department contracted with a U.S. firm for approximately $21.2 million to build a 700 square-meter expansion of the Arnona facility—with half of the expansion to occur below ground and half of it to enlarge the existing second floor.[75] The contract lasts until April 2020.[76] A State Department official said in February that a new, more permanent, embassy building would take 7 to 10 years to construct, and a former official estimated that building a new embassy in Jerusalem may cost about $500 million.[77]

Domestic Israeli Developments

Netanyahu Corruption Allegations and 2019 Elections

Allegations of corruption against Prime Minister Netanyahu (in office since 2009, after a previous term as prime minister from 1996 to 1999) could potentially threaten his position in office, and may affect the timing and outcome of elections that Israel is required to hold in 2019.

In February and December 2018, the Israeli police recommended that Attorney General Avichai Mandelblit indict Prime Minister Netanyahu in three separate cases involving bribery, fraud, and

[70] Also in May, Guatemala and Paraguay opened embassies in Jerusalem. However, Paraguay moved its embassy back to Tel Aviv in September. In November, The Czech Republic opened cultural, investment, trade, and tourism offices in Jerusalem as a precursor to moving the country's embassy to the city. Herb Keinon, "Czech president in Israel, to begin moving embassy to Jerusalem," jpost.com, November 25, 2018.

[71] State Department Press Briefing, February 27, 2018. One article describing the various issues involved with the site's location said that a U.N. official "described the site as 'occupied territory' but not 'Occupied Palestinian Territory (OPT),'" as No Man's Land had not been under the formal control of either the Israeli or the Jordanian side after the 1948 Arab-Israeli war. The article also said, "The continuous Israeli use of the western part of the no man's land makes putting the U.S. embassy there uncontroversial for Israelis from both the right and left of the political spectrum." Michael Lipin, "Why New US Embassy Isn't Entirely in Israel," Voice of America, May 14, 2018.

[72] White House, President Donald J. Trump Keeps His Promise To Open U.S. Embassy In Jerusalem, Israel, May 14, 2018.

[73] State Department, Briefing on the Opening of the U.S. Embassy in Jerusalem, May 11, 2018.

[74] State Department Spokesperson Heather Nauert, Opening of U.S. Embassy Jerusalem, February 23, 2018.

[75] https://www.usaspending.gov/#/award/67072609; "Jerusalem fast-tracks approval of major US embassy expansion," *Times of Israel*,

[76] https://www.usaspending.gov/#/award/67072609.

[77] Gardiner Harris and Isabel Kershner, "Casino Mogul Offers to Fund Israel Embassy," *New York Times*, February 24, 2018.

breach of trust.[78] Mandelblit may decide in 2019 whether to press charges.[79] Additionally, in June 2018 Netanyahu's wife Sara was indicted, along with a former staffer from Netanyahu's office, for the fraudulent use of state funds.[80]

Cases Implicating Prime Minister Netanyahu[81]

Case 1000. Netanyahu is alleged to have accepted gifts from wealthy benefactors Arnon Milchan (a Hollywood producer) and James Packer (an Australian billionaire), and to have supported tax legislation that could have benefitted Milchan.

Case 2000. Netanyahu is alleged to have sought more favorable treatment from the publisher of the leading newspaper *Yediot Ahronoth* in exchange for measures to curb the circulation of the rival newspaper *Israel Hayom* (which is financially backed by the American casino magnate Sheldon Adelson, a longtime supporter of Netanyahu).

Case 3000. Four of Netanyahu's close associates (not Netanyahu himself) are alleged to have been involved in bribery in connection with the multibillion-dollar purchase of submarines and missile boats from Germany.

Case 4000. The communications ministry headed by Netanyahu is alleged to have financially benefitted media tycoon and Netanyahu friend Shaul Elovitch at the public's expense while intervening to have an outlet controlled by Elovitch provide favorable media coverage of Netanyahu. Israeli media generally say that this is the most serious case against Netanyahu, and the police are also recommending charges in this case against his wife Sara.

The legal and political consequences of an indictment are unclear. Netanyahu has consistently denied the allegations and vowed that he will stay in office to pursue Israel's well-being.[82] Attorney General Mandelblit has said that if Netanyahu faces charges, Israel's Supreme Court will determine whether he must step down. It has required other cabinet ministers to do so.[83] Many Israeli media outlets speculate that Netanyahu will call for elections some months before November 2019, when they are required, in hopes of securing a popular mandate to stay in office even if he is indicted.[84] Israel's previous prime minister, Ehud Olmert, announced his decision to resign in July 2008 amid corruption-related allegations, two months before the police recommended charges against him.[85]

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[78] Rory Jones, "Israeli Police Recommend Charges Against Netanyahu," *Wall Street Journal*, February 14, 2018; David M. Halbfinger and Isabel Kershner, "3rd Graft Case Is New Threat For Netanyahu," *New York Times*, December 3, 2018. Netanyahu appointed Mandelblit to his post in 2016. Mandelblit earlier served as a cabinet secretary. Isabel Kershner, "Promoted by Netanyahu, Israel's Attorney General Must Now Scrutinize Him," *New York Times*, February 14, 2018.

[79] "Investigators said to wrap up graft probes into Netanyahu," *Times of Israel*, October 23, 2018.

[80] "Sara Netanyahu indicted for misusing $100,000 in state funds to buy gourmet food," *Times of Israel*, June 21, 2018.

[81] The sources for this textbox are Halbfinger and Kershner, op. cit.; David M. Halbfinger, "The Corruption Cases Against Netanyahu," *New York Times*, December 2, 2018; Raoul Wootliff, "Police recommend bribery charges against Netanyahu in telecom-media Case 4000," *Times of Israel*, December 2, 2018; and Ben Caspit, "Expect drama as attorney general weighs Netanyahu indictment," *Al-Monitor Israel Pulse*, December 3, 2018.

[82] Halbfinger and Kershner, op. cit.; "The Latest: Israel PM: Recommendations to indict 'nothing,'" *Times of Israel*, February 13, 2018.

[83] Revital Hovel, "Israel's Top Court Will Decide Whether Netanyahu Should Resign if Indicted, Attorney General Says," haaretz.com, December 3, 2018.

[84] Isabel Kershner, "Charges Dangle Over Israeli Prime Minister, but Outcome Is Uncertain," *New York Times*, December 4, 2018.

[85] Ian Deitch, "Israel's ex-PM Ehud Olmert released from prison," Associated Press, July 2, 2017. For information on previous allegations against Netanyahu and other Israeli prime ministers, see Irit Pazner Garshowitz and Jonah Engel Bromwich, "Prime Ministers' History of Run-Ins with the Law," *New York Times*, February 15, 2018.

A number of figures across the political spectrum are potential challengers to Netanyahu's rule. However, Netanyahu's Likud Party consistently leads in polling, and Israeli observers are generally skeptical that a challenger would be better-positioned to assemble a majority coalition in the Knesset (Israel's parliament).[86] Two contingencies that could alter expectations for 2019 elections are an indictment of Netanyahu and an alliance of challengers capable of tipping the political balance. Potential challengers include

- Right-of-center figures such as **Naftali Bennett** (the current education minister and head of a key pro-settler party), **Avigdor Lieberman** (who resigned as defense minister in November over government decisions regarding conflict in Gaza), **Moshe Kahlon**, and **Gideon Sa'ar**.
- Left-of-center party leaders such as **Yair Lapid**, **Avi Gabbay**, and **Tzipi Livni**.
- Prominent former generals such as **Ehud Barak** (also a previous prime minister and defense minister), **Moshe Ya'alon** (a previous defense minister), **Gabi Ashkenazi**, and **Benny Gantz**.

Some analyses assess that a left-of-center alliance including former generals—especially one including Gantz—would be a more formidable challenge to Netanyahu than other political groupings.[87]

Basic Law: Israel as Nation State of the Jewish People

In July 2018, the Knesset passed a Basic Law defining Israel as the national homeland of the Jewish people. Some observers are concerned that the law might further undermine the place of Arabs in Israeli society, while others view its effect as mainly symbolic.[88] Before the law passed, lawmakers removed a clause that would have permitted the state to authorize "a community composed of people having the same faith and nationality to maintain the exclusive character of that community."[89] Thousands of Israeli Druze—many of whom serve in Israeli military and security branches—protested the law following its passage.

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[86] See, e.g., Anshel Pfeffer, "The Invincible Benjamin Netanyahu," *New York Times,* December 10, 2018.

[87] Tali Ben Ovadia, "Netanyahu is not invincible," Ynetnews, November 18, 2018; David M. Halbfinger, "Netanyahu's Obsession With His Image Could Be His Downfall," *New York Times*, December 4, 2018; Chemi Shalev, "Top 12 Reasons Netanyahu Will Lose the Upcoming Early Elections," haaretz.com, November 19, 2018. For information on Gantz, see Israel Ministry of Foreign Affairs, Lt.-Gen. (res.) Benjamin Gantz, available at http://mfa.gov.il/MFA/AboutIsrael/State/Personalities/Pages/Benny_Ganz.aspx; and "Former IDF chief Benny Gantz to head new party: report," i24News, December 7, 2018.

[88] See, e.g., Ruth Eglash, "Jewish or democratic? Israel debates its founding principles," *Washington Post,* July 12, 2018; Dov Lieber, "Law Sets Israel as 'Jewish State,'" *Wall Street Journal,* July 20, 2018.

[89] "Israel adopts controversial Jewish nation-state law," Agence France Presse, July 19, 2018.

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