

**Statement of
Farley Weiss, President
National Council of Young Israel
Hearing
“Seeking Justice for Victims of Palestinian Terrorism in Israel”
House Oversight and Government Reform Subcommittee on National Security
February 2, 2016**

Chairman DeSantis, Ranking Member Lynch, and members of the committee, thank you for providing the National Council of Young Israel with the opportunity to share its views regarding the security of American citizens who have been victimized by and are constantly threatened by Palestinian terrorism. I am Farley Weiss and I serve as President of the National Council of Young Israel, one of the 52 members of the Conference of Presidents of Major Jewish Organizations. The National Council of Young Israel was founded 104 years ago and represents approximately 130 orthodox synagogues in America, comprising about 100,000 members.

The issue of this hearing is of major concern to our organization and to me personally. Many of our members visit Israel and very recently the son of one of our members, Ezra Schwartz, was murdered by a Palestinian Arab terrorist. His life was cut short in the midst of doing a charitable act, while using his “gap year” to continue his studies in Israel. His death was noted by the New England Patriots before an ESPN-televised football game. Moreover, the Schwartz Family accepted calls of condolence from President Obama and Secretary of State Kerry. No matter how heartfelt the conveyed sympathies, action speaks louder than words. For years, and not just limited to this Administration, American policy has failed to employ all its legal tools, including seeking extradition, to bring to justice Palestinian terrorists who have wounded or murdered Americans. In my view, such actions would prove to be a strong deterrent to terrorism. The National Council of Young Israel hopes that this hearing will be a catalyst to implement a change in policy.

The issue of pursuing justice for victims and families victimized by Palestinian terrorism is not new for me; it dates back to December of 1997. At that time, during a conference

call with Secretary of State Madeleine Albright, I raised the issue. Subsequently, I worked with Congressman Matt Salmon on a letter sent to Secretary Albright, relating to the murder of nine American citizens by Palestinian Arab terrorists. The communication called on our country to bring terrorists, like known murder Mohammed Deif, to justice. Deif organized the kidnapping and murder of Nachshon Wachsman. At a subsequent Conference of Presidents call with the Secretary of State, I reminded Ms. Albright of my previous comments and she indicated that she would pursue the Deif matter. Subsequently, the Palestinian Authority briefly detained Deif when they controlled Gaza, but released him. Regrettably, Deif remains free and he was never faced trial. In fact, Deif is the current military head of Hamas, and is responsible for the death and wounding of over one hundred Israelis, including Americans.

Two other terrorists, Nabil Sharihi and Adnan al-Ghoul, were known to have been involved in the 1995 murder of American Alisa Flatow; they were similarly arrested and then released by the Palestinian Authority. Furthermore, other Palestinian Arab terrorists who murdered Americans were arrested and released by the Palestinian Authority without, to our knowledge, objection by any Administration, Democrat or Republican. Hence, these terrorists could not face American justice. In our view, this failure promotes terrorism.

In 1998, the House of Representatives overwhelmingly passed, with strong bipartisan support, House Concurrent Resolution 220. In part, the resolution stated:

"That it is the sense of the Congress that-- (1) the United States should demand the prosecution of all suspected perpetrators of these attacks against United States citizens; (2) the United States should seek the cooperation of the Palestinian Authority and all other appropriate authorities in the prosecution of these cases; and (3) the suspects should be tried in the United States unless it is determined that such action is contrary to effective prosecution."

In 2004, the Koby Mandell Act was enacted (Public Law 108-447), which required the Attorney General to establish an office in the Office of Justice for Victims of Overseas Terrorism (OJVOT) to monitor acts of terrorism against Americans outside the United States and attempt to bring to justice those terrorists who have harmed Americans. In part, the office was tasked to ensure that the investigation and prosecution of terrorist attacks against American citizens overseas remains a high priority within the Department of Justice, and to guarantee that the rights of victims and their families are honored and respected. To our dismay, the enactment of the Kobe Mandel Act did not result in a single Palestinian Arab terrorists brought to these shores to stand trial for the murder of an American. The number of Americans murdered by Palestinian terrorists has climbed to over 60 and approximately 100 of our fellow citizens have been wounded.

In October 2015, Mrs. Naama Henkin was murdered, with her husband Eitam, an American citizen, in front of their children. Israel captured the murderers and they are currently in jail in Israel. In my view, the United States should indict these terrorists and ask for their extradition to face American justice. It is noteworthy that PA President Abbas never condemned the murder of the Henkins. Moreover, the Palestinian Authority continues to praise murderers of American and Israeli citizens as heroes, naming streets after them, and rewarding the terrorists' families with financial assistance – “blood money.” This is blatant incitement which encourages terrorist acts.

The United States must articulate with unqualified clarity that there is no double-standard in our desire to pursue justice. If an American is murdered by a Palestinian terrorist, we will hunt that murderer just as we do for other global murderers of Americans. Shortly after 9/11 President Bush gave a moral justification for the U.S. to go to war in Afghanistan by stating succinctly that those who give safe havens to terrorists are equally morally culpable to the terrorists. The Palestinian Authority goes further than giving safe havens to terrorists; they reward their families for murders and treat the terrorist murderers as heroes. America cannot turn a blind eye to the providing of safe havens and the praising of these murderers of Americans.

There is strong bipartisan congressional support for American justice for acts terrorist acts committed against our fellow citizens. American justice would send an unambiguous message to prospective terrorists that they will not be a component of some prisoner exchange. American justice will lead to a more peaceful Middle East because deterring terrorism is in our national security interest. It is within America's interest to bring terrorists to justice.

Mr. Chairman, once again, thank you for conducting this hearing and pursuing this essential issue of bringing terrorists who murder Americans to justice.