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**What's Happening with US Military Aid to Egypt?
Part II: Everything You Ever Wanted to Know
About Foreign Military Financing (FMF) for Egypt**

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November 19, 2014

Appropriations laws, which fund US federal government operations and programs such as foreign assistance, are byzantine documents to be sure. But they matter a lot in US-Egypt ties because of the central role that aid, especially military aid, plays in the relationship. The 2014 appropriations law includes democracy conditions on Foreign Military Financing (FMF) for Egypt that, while much less stringent than what US human rights advocates had sought, still hold up some military aid and have led to an unprecedented disruption to the FMF program. Nearly a year after the enactment of the [Consolidated Appropriations Act, 2014](#) (“the 2014 law”), \$728 million of the \$1.3 billion in Fiscal Year (FY) 2014 FMF for Egypt has not been released.²

Congress passed this legislation in January 2014, in the wake of the Egyptian military’s ouster of elected president Mohamed Morsi of the Muslim Brotherhood in July 2013. Neither Congress nor the Obama administration wanted to halt military aid completely after Morsi’s overthrow, as the [“coup clause” in US appropriations law](#) seemed to require. Thus the 2014 law included special language exempting Egypt (and only Egypt) from the provisions of this clause, which mandates the immediate suspension of nearly all assistance to a central government following a military coup d’état, until a democratically-elected government is restored. The 2014 law allows some FMF for Egypt—what Congress and the administration deem most vital—to move forward regardless of whether such a government is in place. But many lawmakers did not want to give the new military-backed government (or the US administration) a blank check. For this reason, the law restricts the use of aid considered less urgent until the Secretary of State

¹ The author thanks Ilana Hosios, former Hariri Center intern, for her outstanding research support, and Matthew Hall, Assistant Director at the Hariri Center, for his helpful serial assistance.

² The US Government Fiscal Year begins on October 1 and ends on September 30. Congress did not pass the FY 2014 appropriations legislation until January 2014, more than three months after Fiscal Year 2014 had begun, but the law covers the entire period.

certifies that Egypt has met several democracy benchmarks. Secretary John Kerry has not yet done this.

This article explains the law's complicated requirements, which mirror the labyrinthine nature of the FMF program itself. The complexity also reflects the fact that the law represents a compromise among the demands of competing stakeholders in the administration and Congress—those who do not want the US security relationship with Egypt to be linked to Egypt's internal political situation, on the one hand, and democracy promoters who want to condition military aid to Egypt on democratic progress, on the other. The article describes what aid has been released, what has not moved forward—mostly, orders for some new defense items—and possible next steps by Congress. (A [previous article](#) discussed the Obama administration's suspension, announced in October 2013, the delivery of four big-ticket weapons systems—Apache attack helicopters, F-16 fighter jets, M1A1 Abrams battle tank kits, and Harpoon missiles—[pending “credible progress”](#) toward democracy in Egypt. The suspension was an executive branch decision, and as such is separate from the requirements of the 2014 law.)

What is at stake with the democracy certifications?

The administration will need to weigh competing factors in deciding whether and when to make the democracy certifications. These include:

- the need, at some point in the coming months, to gain access to more FY 2014 funds to pay US defense contractors and/or to purchase and deliver some weapons for Egypt;
- the prospect that delaying the democracy certifications further or not making them at all will antagonize the Egyptian military and lead it to withhold security cooperation such as expedited permission for US overflights;
- the damage to US credibility and leverage if Kerry certifies to Congress that Egypt's authoritarian government, engaged in a sweeping crackdown on dissent, is making democratic progress; and
- the possibility that making the democracy certifications will rile important members of Congress who want the administration to take a tougher line on human rights in Egypt, perhaps leading to a reduction in future appropriations.

What is Congress's role with FMF? What is the administration's role? What does the US give Egypt through the FMF program?

Congress appropriates funds for FMF each year and sets the level and the conditions under which the executive branch (“the administration”) can use the funds. The administration implements the FMF program. While the State Department has the policy lead, the Defense Department (DOD) administers the program, and also has some influence on the policy. DOD works closely with the Egyptian military to decide how to spend the funds, enters into agreements with Egypt called [“Letters of Offer and Acceptance”](#) (LOAs) that provide the basis for the provision of specific defense items and support, executes the contracts with US defense

companies through which the assistance actually is provided, and oversees the FMF accounts. (The funds remain in the United States under DOD management; they are not transferred to the Egyptian government.)

Through FMF, the United States procures and pays for US-made defense systems and services for Egypt. Aircraft, ships and missiles (such as F-16s, Apache helicopters, naval ships, and Harpoon missiles) and vehicles (such as Abrams tank kits and armored personnel carriers) constitute the bulk of the sprawling program. Tanks and F-16s are the “flagship” systems that FMF has financing for decades. Other FMF categories include weapons and ammunition (machine guns, rockets); communications (radios); construction of military facilities; and support, maintenance and supplies (technical assistance, training, spare parts, upgrades, and shipping fees).

Is the United States obligated to provide military aid to Egypt because of its Peace Treaty with Israel?

Legally, no, although from the outset there has been a very close political linkage between the FMF program and Egypt’s peace with Israel. The United States made limited sales of military transport aircraft to Egypt prior to the 1979 Egypt-Israel Treaty of Peace, but the assistance program began only right after the Treaty. The original goals were to help consolidate President Anwar Sadat’s move to peace and to forge a Cold War strategic relationship with Cairo (under President Gamal Abdel Nasser, the Soviet Union was Egypt’s leading military backer; Sadat broke with Moscow to become closer to Washington). A [2011 US Government fact sheet](#) describes the goals of US military and security assistance as “to improve Egypt’s defensive capabilities; support Egypt’s contributions to regional security; promote the rule of law; and counter terrorist threats.” The administration’s [FY 2015 budget submission](#) to Congress states that the purpose of the Egypt FMF program is “to further our shared security interests.”

The FMF program has enjoyed bipartisan support in the United States since its inception. The military aid began as loans, and was converted to a grant program, its current form, during the Reagan administration. The annual appropriation has been consistently \$1.3 billion since 1987. Contrary to what is sometimes asserted, however, neither the US-brokered 1978 [Camp David Accords](#) that laid the foundation for the bilateral Treaty of Peace, nor the [Treaty itself](#) (to which the United States is not a signatory) [obligates](#) the United States to provide military (or economic) aid to Egypt, in general or at any specific level.³ Rather, the provision of FMF is

³ In a March 23, 1979, side letter to the Treaty of Peace, US Secretary of Defense Harold Brown wrote to Kamal Hassan Ali, the Egyptian Minister of Defense and War: “In the context of the Peace Treaty between Egypt and Israel, the United States is prepared to enter into an expanded security relationship with Egypt with regard to the sales of military equipment and services and the financing of, at least a portion of those sales, subject to such Congressional review and approvals as may be required.” (The United States also pledged economic aid to Israel as well as financing for the construction of new air bases.) The financing authority for this military support for Egypt and Israel came in the July 1979 [Special International Security Assistance Act](#), which called for “a one-time extraordinary assistance package for Egypt and Israel” to support the Treaty. The law authorized \$300 million in extra economic aid for Egypt for FY 1979 (for a total of more than \$800 million in economic assistance that year), in

subject to the administration's request and congressional approval each year. Over the course of the past thirty-five years, the United States has provided more than \$40 billion worth of defense aid to Egypt, second only to the amount for Israel.

How much FMF did Congress appropriate for Egypt in FY 2014? How much has Congress released so far?

The law makes *up to* \$1.3 billion available. Previous laws directed the administration to spend the full \$1.3 billion, so this new wording indicates a softening of congressional support. To date, Congress has released \$572 million of the FY 2014 appropriation, following Secretary Kerry's attempt to obligate \$650 million in April. The remaining \$728 million is available for dispersal until September 30, 2015.

What does the law require the Secretary of State to do before FY 2014 FMF can be used?

The Secretary must make two separate sets of certifications to Congress (each with two parts) to be able to use FMF for Egypt without restrictions.

1) Peace Treaty/Strategic Cooperation Certifications

Before FY 2014 FMF can be used for any purpose, the Secretary must certify to the Committees on Appropriations that Egypt is

- "sustaining the strategic relationship with the United States" and
- "meeting its obligations under the 1979 Egypt-Israel Peace Treaty."

This top-line certification clearly illustrates what Congress continues to view as the main policy objectives of the FMF program.

Secretary Kerry made these certifications [in late April](#) and notified Congress that the administration was planning to obligate \$650 million (fully half) of FY 2014 FMF (concurrently the administration announced a separate decision to send the Apache helicopters it had suspended several months earlier). On April 29, Senator Patrick Leahy (D-VT), chairman of the Senate State, Foreign Operations, and Related Programs Appropriations Subcommittee, [placed](#)

addition to authorizing funding, through FY 1982, to finance loan guarantees for Egypt and Israel to procure defense articles and services for their "respective security requirements," pending approval by Congress. The Act authorized funding to finance loans of up of \$3.7 billion, "of which \$2.2 billion shall be available only for Israel and \$1.5 billion shall be available only for Egypt." In FY 1982, the United States added \$200 million in FMF grants alongside loans to Egypt's military aid package, in FY 1985 it converted the assistance entirely to FMF grants (\$1.175 billion), and in FY 1987 it increased the level to \$1.3 billion in FMF grants. The United States has reduced economic assistance to Egypt significantly since 1998 (from \$815 million in FY 1998 to \$200 million now), but FMF has remained steady at \$1.3 billion since FY 1987. See funding charts provided on pages 47-49 of this Congressional Research Service (CRS) [report](#). (Since 1999, the United States increased FMF for Israel, currently at \$3.1 billion, while phasing out economic assistance.)

a [“hold”](#) on the funds. Sen. Leahy, the prime mover behind the democracy conditions on Egypt FMF and [a strong supporter of the “coup clause,”](#) [said](#) he was “extremely disturbed” by Egypt’s human rights violations. He also said he was not prepared to sign off on additional aid until “we have a better understanding of how it will be used.”

Kerry eventually convinced Sen. Leahy that the \$650 million was needed for payments on existing FMF contracts with US defense companies, and for counterterrorism and border security programs (as explained below, such programs do not require democracy certifications). Senior US officials, however, [indicated](#) that the aid release also was intended to show that “we want to be as supportive as possible of Egypt’s transition.” Prior to Kerry’s June visit to Egypt to meet newly-elected President Abdel Fatah al-Sisi, Sen. Leahy agreed to release \$572 million of the \$650 million. He held back \$78 million—an approximation of the cost of the shipment to Egypt and sustainment of the Apaches, Abrams tank kits, F-16s, and missile systems suspended by the administration in October 2013. (Sen. Leahy also [held up the Apaches delivery.](#))

2) Democracy Certifications

Before any FY 2014 FMF can be used for *new contracts* to provide “defense articles and services”⁴ to Egypt, or to *deliver* articles and services from existing contracts, the Secretary of State [must certify that Egypt](#):

- “has held a constitutional referendum, and is taking steps to support a democratic transition” and
- “has held parliamentary and presidential elections, and a newly-elected Government is taking steps to govern democratically.”

The first democracy certification allows the release of up to \$975 million in 2014 funds. The second allows the release of up to \$576.8 million. Technically speaking, Kerry could make the first one now, as Egypt held its constitutional referendum in January 2014. He cannot yet make the second certification because parliamentary elections have not been held ([Sisi recently said they will happen by March 2015](#)). The presidential election took place in May.

By making the holding of these votes central to the certifications, Congress was trying to set benchmarks to which Egypt’s post-Morsi leadership had already committed in its July 2013 [“political road map.”](#) Indeed, at the time the law was enacted, some in Congress and the administration appear to have had an unrealistic assumption that the political situation in Egypt would improve sufficiently to allow the certifications to be made during 2014. But as Egypt has regressed to authoritarianism in the past year, these votes have less and less to do with democratization. Indeed, Egypt’s former president Hosni Mubarak held the same three

⁴ “Defense articles” refers to weapons, military equipment, and supplies. “Defense services” includes parts, maintenance, and upgrades for existing weapons and equipment, as well as other services provided to the Egyptian military.

electoral events the last decade of his autocratic rule. And it won't be easy for Kerry to identify any genuine "steps toward democracy" as the trend in Egypt is clearly in the opposite direction.

Moreover, Kerry also needs to take into account the more detailed benchmarks included in the [Joint Explanatory Statement of Managers](#) accompanying the law. This document does not have the force of law, but because it conveys the combined views and intentions of the key appropriators, it behooves the administration to pay attention to its language.

[According to the Statement of Managers](#), Kerry's certifications:

"should also include consideration of the conduct of the [constitutional] referendum, including voter participation, and the support by the Government of Egypt for the development of democratic political processes and basic freedoms, including civil society and the media..[and] the conduct of parliamentary and presidential elections, including voter participation and election monitoring, and steps taken by the newly elected Government to protect human rights and the rule of law, including the rights of women and religious minorities."⁵

By any reasonable measure, it would be [hard](#) to construct a credible argument that the Egyptian government is meeting these benchmarks. Over the past year, not only [international human rights organizations](#) but also US officials [have sharply criticized](#) rights abuses and other serious violations of democratic norms in Egypt. In a recent important statement of policy, the US Representative to the UN Human Rights Council in Geneva [said](#): "We are deeply concerned with steps taken by Egypt that have resulted in violations of freedoms of expression, peaceful assembly, and association, deprived thousands of Egyptians of fair trial guarantees, and undermined civil society's role in the country. We are concerned about the lack of accountability for those accused of human rights abuses – particularly incidents in July and August 2013 that resulted in a large number of deaths of Egyptian citizens." At other times, however, perhaps to lay the groundwork for Kerry's eventual democracy certifications, US officials have commented more favorably on Egypt's political situation, arguing that ["they have made some limited progress"](#) and there are ["flickering signs of positive movement."](#)

Is there a waiver that would allow the Secretary to avoid making the democracy certifications?

No, there is no national security waiver, which makes these the toughest congressional democracy conditions yet. Previous Egypt legislation included such waiver authority. The [FY 2012 Appropriations Law](#) (whose provisions also applied to FY 2013 FMF through a Continuing Resolution) required the Secretary of State to certify that Egypt was "meeting its obligations under the 1979 Egypt-Israel Peace Treaty" and "supporting the transition to civilian government including holding free and fair elections; implementing policies to protect freedom

⁵ The Statement of Managers also requests the Secretary of State to report to the appropriators on "the defense articles being withheld from Egypt and the conditions under which the delivery of such items will resume."

of expression, association, and religion; and due process of law” before obligating FMF. But the law also allowed the Secretary to waive these requirements if she or he determined that it was “in the national security interest of the United States” to do so. Former secretary of state Hillary Clinton [used her waiver authority](#) in March 2012, during the rule of the Supreme Council of the Armed Forces (SCAF), to obligate that year’s FMF. In May 2013, during Morsi’s presidency, Secretary Kerry [similarly invoked his waiver](#) authority.

Can some FMF be used without the democracy certifications?

Yes. Three areas of use are exempt from democracy certifications: “security” assistance, sustainment of existing contracts, and provision of assistance that does not require delivery to Egypt. The administration is allowed to spend the \$572 million in 2014 FMF released in June, prior-year funds (unspent FMF from FY 2013 and earlier), as well as any additional 2014 FMF funds that it may notify in the future, in these areas.

The *first area* is what the law calls “*security exemptions*”—for “counterterrorism, border security, nonproliferation, and Sinai development programs.” Notably, the law neither defines what constitutes such assistance nor directs the level of funding. Rather, it leaves these determinations up to the administration.

In recent years, the United States has sought to convince the Egyptian military to shift more FMF toward counterterrorism and border security programs. Egypt has been reluctant to use large amounts of aid for this, preferring to continue to dedicate most FMF to the traditional large weapons systems, especially F-16s and tanks. Examples of counterterrorism and border security assistance purchased with FMF in recent years include fast cruise ships (small warships) for the Egyptian navy to patrol the country’s coastline and the Suez Canal; land vehicles and radios for Egypt’s Border Patrol Forces; a border surveillance system; and “border tunnel detection systems” to locate smuggling tunnels along the Sinai-Gaza border.

The *second* exempt area is the *sustainment of existing contracts* at the “minimum rate necessary” using both FY 2014 FMF and prior-year funds, following “consultations” with the Appropriations Committees. “Existing contracts” means those made with prior-year funds. “Sustain” means paying only the minimum necessary to keep the contracts going. This is so that US defense contractors are not penalized if the Secretary does not make the democracy certifications.

This particular exemption is important because there are thousands of existing FMF contracts for Egypt, including many that are large and cover several years, beyond the current appropriation. The reason for such contracts is a special privilege granted only to Egypt and Israel called “cash flow financing.” Cash flow financing is in effect a military purchase installment plan for these two countries. It allows them to enter into LOAs for defense items that cost more—often many times more—than the amount of FMF currently available and spread the payments (through FMF grants) out over several years, based on the expectation that future appropriations will cover the full cost. For example, the total value of the current

program for the production of F-16s, on which Lockheed Martin is the lead contractor, is \$1.6 billion. By contrast, countries other than Egypt and Israel can use only their available FMF funds to make LOA agreements; they have to save up their FMF for many years to make a large purchase of the kind that is standard for Egypt. Cash flow financing means that [by some estimates](#) the United States typically has well beyond the amount of the annual appropriation for Egypt committed in LOAs and tied up in the related contracts with US companies. If FMF were to be cut short, the Egyptian government technically is liable to pay the balance of the LOAs from other sources (such as national funds). But if Egypt does not do so, the US government (not the Egyptian government) would be liable for payments due on the US contracts, or for termination fees.

The *third* exemption is for services and equipment that do not require delivery to Egypt. [According to the Congressional Research Service \(CRS\)](#), about 39 percent of FMF in recent years has been used for upgrades and 34 percent has been for maintenance and other support. Until the democracy certifications are made, the administration can use FY 2014 FMF only to pay for equipment, maintenance and the like that can be performed by contractors already in Egypt (except if the work is related to security-exempted programs described above, in which case it can move forward regardless). The State Department has [explained](#) that it is using some of the \$572 million released in June for such purposes. It can also use prior-year funds.

What cannot move forward until the democracy certifications are made?

Two important areas. The law restricts the administration from using FMF to *enter into new contracts* that are not for counterterrorism, border security, nonproliferation, or Sinai development purposes. [According to CRS](#), typically about 27 percent of FMF is used for acquisitions. This means no new contracts for F-16s, tanks, missile systems, or other non-exempt weapons until the democracy certifications happen. This interruption to the typical flow of the assistance relationship has greatly frustrated the Egyptian military, though evidently not enough to improve its human rights record.

In addition, the administration cannot use FY 2014 funds to *deliver* to Egypt defense articles and services for non-exempted purposes until the democracy certifications are made. For instance, General Electric (GE) has a [contract](#) to upgrade the engines of the Egyptian Air Force's fighter jets; the work is being done in Ohio and then the engines need to be sent to Egypt for installation. Before making the democracy certifications, the administration could use FY 2014 funds to sustain GE's contract, but could use only prior-year funding to pay for the delivery. Once prior-year funding is used up, the administration may need to delay such deliveries and otherwise slow down contracts to manage its cash flow carefully before the democracy certifications are made.

What is the deadline for Kerry to make the democracy certifications?

If the administration wants to use 2014 FMF for non-exempted purposes, the Secretary has until September 30, 2015 to make the certifications. (Technically speaking, he does not have to

make them, in which case not all the 2014 FMF would be dispersed.) Typically FMF is “one-year” money, meaning that it must be obligated within the Fiscal Year in which it is appropriated. The FY 2014 law extended the period by a year to allow more time to make the certifications.

There is political pressure from Egypt and others to make the democracy certifications in the near future, but it is unclear if there is an imminent (in the next few months) financial need to do so. At present, to keep the FMF program going, the administration is working off of prior-year funds (it was not possible for this author to get an exact figure of how much is available) as well as the \$572 million in FY 2014 funds released in June. But if the administration wants to use 2014 FMF to enter into new LOAs or contracts for non-security exempt categories of aid, it will need to make the democracy certifications.

What has the administration said recently about the democracy certifications?

On November 12, State Department Spokesperson Jen Psaki [said](#), “There are still concerns we have, and that is noted by the fact that we have not certified, based on [Egypt’s] human rights record or progress that hasn’t been made.”

What are the administration’s near-term options?

There are basically four near-term options, each with different political pluses and minuses:

- 1) The administration can keep the FMF program in semi-limbo, continuing to spend FMF in the exempted categories and deciding later about the democracy certifications. This approach would be based on a hope that the political situation in Egypt will improve in the months ahead, rendering the certifications easier to make.
- 2) The administration can make the democracy certifications soon. This would free up more FMF, and please the Egyptian government and its supporters (as well as defense contractors involved with Egypt). But it may anger congressional critics of Egypt and hurt US credibility on democracy.
- 3) The administration can obligate additional FY 2014 funds (from the \$728 million remaining) without certifying. This would allow the use of these funds exclusively for exempt purposes (as explained above), and relieve the administration from having to praise the Egyptian government formally through the democracy certifications. But it would not allow Egypt to order some new purchases. This might be the desired path of those in the administration who want to keep select FMF programs going, shift more military aid toward counterterrorism and border security, but do not want to credit Egypt for democratic progress that it has not achieved.
- 4) The administration can request from Congress “legislative relief” –changes to the 2014 law—such as the granting of national security waiver authority for the democracy conditions. In theory, at least, lawmakers could include such a change in legislation that Congress needs to pass soon. This would give the administration an “out” on the

certifications for the remaining \$728 million and return the FMF program to its pre-2013 status quo, but could be a risky move (as explained below).

What will happen next in Congress? What about the FY 2015 appropriations bill?

Congress has just returned for a lame duck session following the November 4 midterm elections, in which the Republican Party retained its majority in the House of Representatives and retook the Senate after eight years of Democratic control. Atop its agenda is legislation to fund federal appropriations for FY 2015. This must be passed before December 11, when the Continuing Resolution (CR) for FY 2015 spending passed on September 16 expires. The legislation could be an Omnibus appropriations bill to fund the government through September 30, 2015, or a stopgap measure in the form of another short-term CR. Democrats and reportedly the Republican leadership [want](#) to complete the FY 2015 appropriations bill during the lame duck session. Conservatives such as Sen. Ted Cruz (R-TX) prefer another short-term CR so that the Republican-led Congress that takes office in January will have more leverage.

If the Congress is to pass an Omnibus, appropriators will need to reconcile the [House](#) and [Senate](#) committee versions of the FY 2015 foreign aid appropriations bills. The two bills were each voted on by the respective House and Senate committees in June, but never got to a vote by the full House or Senate. They represent the somewhat different attitudes toward Egypt FMF in each chamber, at least as they existed back in June.

The House version is basically the same as the FY 2014 bill. It reflects the views of Appropriations Subcommittee chairman Representative Kay Granger (R-TX) and other House committee members who are very supportive of the FMF program and relatively friendly toward Egypt under Sisi. They accept limited democracy conditions on FMF but do not want major changes to the military aid status quo.

The Senate version is a lot tougher, reflecting the frustration of Sen. Leahy and other committee members with US policy toward Egypt and with the actions of the Egyptian government. It would cut FMF to \$1 billion and end cash flow financing. It would restrict counterterrorism and border security programs to \$300 million unless the Secretary State certifies that such programs “are in the national security interests of the United States.” And it would impose much stricter democracy conditions, such as requiring the Egyptian government to release “all persons detained for exercising their rights to free expression, association, and peaceful assembly.” Neither bill includes a waiver.

On November 18, Rep. Granger told [Al Monitor](#) that she was exploring the option of giving waiver authority back to the State Department. It is doubtful, though not impossible, that such legislative relief for Egypt 2014 FMF would be included in legislation passed in the lame duck session. Lawmakers have an extremely heavy agenda in the next month and the bills need to be as “clean” as possible to get through Congress quickly. In addition, Sen. Leahy, who remains chair of the Senate appropriations subcommittee until January, would be unlikely to agree to a waiver. He pushed hard for the restrictions in the FY 2014 law in the first place, cannot be

pleased about the human rights situation in Egypt, and probably is not convinced that any changes are urgently needed.

The picture may be different, especially in the Senate, when the 114th Congress takes office. Sen. Leahy, the champion of democracy conditions on Egypt FMF, will no longer chair the appropriations subcommittee and instead will be its ranking member. The incoming chair, Senator Lindsey Graham (R-SC), is unlikely to be as consistently outspoken and forceful on FMF and human rights issues in Egypt as Leahy has been. (Graham has worked very closely with Leahy on Egypt, though, and at times has spoken critically of Egypt FMF. For example, in June he [said](#), "We have to send Egypt a message...we're reducing their money because we want the Egyptian government to understand that democracy is important.") Many lawmakers in both chambers, worried about the Islamic State of Iraq and al-Sham (ISIS), and pleased with Egypt's close military cooperation with Israel in fighting the Sinai insurgency, want to bring more calm to relations with Egypt and to work with Sisi. Thus, they may push for the FY 2015 appropriations bill to restore the waiver privilege to the administration or otherwise loosen the restrictions on new funding. That likely would be the administration's preference. It is also possible, however, that the new bill could include the same or even more democracy benchmarks and less flexibility. Many FMF programs around the world have such benchmarks and some feel that Egypt should not get exceptional treatment.

What about the future of the FMF program?

The future of the FMF program is less certain than it was prior to the 2011 overthrow of close US ally Mubarak. In the past decade, some congressional frustration with Mubarak's policies began to express itself in various attempts to condition FMF, but most such efforts failed to gain traction. Now there is a different mood and nothing close to a clear, unified congressional view on Egypt. Rather, there are different pockets of supporters and critics (and some who are just apathetic) in both chambers and in both parties. The supporters often work quietly behind the scenes. Critics, who often are more outspoken, have various motivations. These include a belief that the United States should exert more pressure on, or distance itself more from, Egypt's military-backed government as long as it is repressing its citizens; a desire, shared by the administration, to phase out legacy weapons programs that Egypt [doesn't need more of](#) in favor of an FMF program built more around counterterrorism-related and capacity-building; and in the case of Tea Party conservatives such as Rand Paul (R-KY) in the Senate and others in the House, an outright opposition to many foreign aid programs. In general, Egypt's political turmoil, rising anti-American sentiment, and the dashing of the democratic optimism unleashed with Mubarak's 2011 ouster have caused frustration and fatigue among some lawmakers. Others with an isolationist bent simply are not interested in foreign policy issues, Egypt or otherwise.

Enacting significant, long-term reforms to the FMF program would constitute a big challenge in Congress. Egypt aid continues to enjoy traditional robust support on the Hill from Israel's backers. Nowadays it also has support from important players such as Saudi Arabia and the United Arab Emirates, who are staunch allies of Sisi. The FMF program also has strong US

domestic backing. Although the number of US jobs created is not immense, the weapons programs have been reliable sources of employment in the defense industry in a time of DOD budget-cutting, and as such they have powerful lobbies. It is not a coincidence that contractors are located in important congressional districts across the country. For example, the F-16 fighter planes [are made in a Lockheed Martin plant](#) in the Texas district of Rep. Granger. The primary General Dynamics plant for the Abrams Battle tank kits is in the political battleground state of Ohio, and subcontractors are spread across other key states. In the case of the tanks, Egypt is an especially crucial market because the US army [does not want to purchase more](#) of them and international demand is declining.

Continuing support from the defense industry and Egypt's influential allies, as well as the sheer power of the status quo in a decades long, deeply entrenched military aid relationship, portend incremental changes to the FMF program, rather than a dramatic overhaul.