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Subject: BACKGROUND INFORMATION

Attachments: Governor's Iran Letter (9.08.2015).pdf

Letter to Sec. Kerry Re Syrian Refugees - 11.16.2015.pdf

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Alan,

Below you will find the background you may be interested in for your story.

Let me know how we can be of additional assistance.

Rob

Attached are both the governor's Iran letter to the President and Gov. Haley's refugee letter to Sec. Kerry. Below is the pro-Israel focused items Gov. Haley has worked on and supported. Below that is Governor Haley's GTMO written testimony before the House Subcommittee.

South Carolina/Israel Policy

### **In General**

- Pro-Israel groups are very concerned about the boycott, divestment, and sanction (BDS) movement that is being supported by Palestinians, Iranians, and other anti-Israel nation-states.
- Many states have taken action to support Israel, and South Carolina was the first state in the country to fight against the BDS movement.
- South Carolina also enacted divestment policies for state run pension funds and other state investments prohibiting engaging in investment in Iran.
- On September 8, 2015, you joined 14 other Governors in a letter to President Obama expressing your opposition to the Joint Comprehensive Plan of Action (JCPOA) with Iran, and that you "intend to ensure that the various state-level sanctions that are now in effect remain in effect" including BDS and state investment provisions.

### **BDS Movement**

Israel Protection – Ratified (2015)

- Prohibits the state from entering into a contract with a person or business without the entity attesting that they will not engage in a boycott against a person or firm based on race, color, religion, gender, or national origin.
- The term boycott does not include actions that are necessary to comply with lawfully assessed international sanctions, or nondiscriminatory boycotts.
- This does not apply to contracts worth less than \$10,000.

### **Iran Sanctions**

Iran Divestment Act (2014)

- Prohibits state agencies and political subdivisions from contracting with companies or individuals that engage in investment in Iran.
- Prohibits the Treasurer or the Retirement systems from investing state funds in the same.
- Establishes an activity threshold of \$20 million to constitute investment when identifying prohibited entities, and a contract threshold of \$10,000.

- Requires the Budget and Control Board (no successor entity named) to develop a list of people or entities that invests in Iran.
- Sunsets the provisions if the President **or** Congress “declares that the divestment of the type provided for in this chapter interfered with the conduct of United States foreign policy;” or “the United States revokes its current sanctions against Iran.”

### **South Carolina-Israel Business and Research Collaboration**

- South Carolina is the only Southeastern state to sign a bilateral research and development agreement with Israel, built around six identified clusters of strength in South Carolina where there is strong potential of synergy and relevance: Biomedical, Advanced Materials, Sustainable Systems, Transportation, Defense / Security, and Insurance / Health IT.
- Since 2013, Israel-based companies have announced nearly \$9 million in capital investment, bringing more than 140 new jobs to our state, including medical equipment contracts and clinical research facilities.
- In 2014, Israel accounted for more than \$120 million of South Carolina's total export sales, a 22 percent increase over the previous year.

Congressional Testimony:

**Prepared Testimony on  
“Transferring Guantanamo Bay Detainees to the Homeland: Implications for States and Local  
Communities”**

**Governor Nikki R. Haley, South Carolina  
House Committee on Homeland Security  
Subcommittee on Oversight and Management Efficiency  
April 28, 2016**

Chairman Perry, Ranking Member Watson Coleman, and members of the subcommittee, thank you for the opportunity to be here to speak on this issue of national importance. I especially want to thank Congressman Duncan and the other members of the South Carolina delegation for their support on this issue.

In August of last year, my office was contacted out of the blue by the Department of Defense to inform us they were traveling to Charleston, South Carolina to assess the U.S. Naval Consolidated Brig for the possibility of housing Guantanamo Bay detainees. Imagine my surprise: not only was it against federal law to transfer Guantanamo detainees into the United States, but why would anyone want to put terrorists in Charleston? Charleston, the city named the number one vacation spot in the nation four years in a row, in South Carolina, named the friendliest and most patriotic state in the union. It makes zero sense.

On February 23, 2016, President Obama announced his plan to close the Guantanamo Bay detention facility, currently used to house some of the deadliest terrorists in history, including the principle architect of the September 11<sup>th</sup> attacks – Khalid Sheikh Mohammed. This “plan” contained little new information. It did not even name a state-side facility for law-of-war detention, but instead referenced the Defense Department’s 2015 survey of 13 potential - but unidentified - facilities.

In the opening paragraph of the plan, President Obama presents three reasons for why it is a “national security imperative” that the United States end its mission at Guantanamo Bay.

Regardless of any merit that may support these assertions, they do not support the conclusion that terrorists should be transferred to Charleston, South Carolina (or any other location within the United States]. I know that other witnesses today will discuss specific cost and security concerns, and so my testimony today will focus on the three specific reasons provided by the President's plan.

First, the President claims that Guantanamo Bay serves as propaganda and a recruitment tool for terrorists. Well of course it does, but so do statements by public leaders, the United States' stance against terrorism, and American values generally. And so too, certainly, would a similar facility located in Charleston, South Carolina, Leavenworth, Kansas, or Florence, Colorado.

Terrorists have chosen to wage war on the United States based on an ideological hatred towards the American way of life, and the fundamental freedoms on which we pride ourselves. The September 11th attacks occurred before there ever was a Guantanamo detention facility, as did the first World Trade Center bombing, the U.S.S. Cole bombing, and numerous other attacks or attempted attacks on United States' interests around the world. Moving detention operations from a secure facility outside of the continental United States and into Charleston will not stop the propaganda. This line of thinking is giving these terrorists too much credit and validity. Terrorists do not need a jail to hate us. They hate us all on their own.

Second, the President contends that the presence of the facility at Guantanamo Bay is somehow a major impediment to our relationships with foreign nations. As a Governor, my principal engagement outside of the United States is admittedly on the economic development front, attracting foreign investment into my state. That being said, assuming the President's assertions are true, the question that comes to my mind is what about detention activities at Guantanamo Bay is damaging to our relationships with foreign leaders and nations?

Whether the terrorists are detained on an American military base in Cuba or somewhere in the United States, they will be held under the same legal authority, by the same country, in the same manner, for the same duration, and for the same reasons. Why does the zip code matter?

As to the impact on foreign relations in South Carolina, I can tell you I am tremendously concerned. In the Charleston area alone we have international manufacturing giants Boeing, Mercedes-Benz, and now Volvo. We have one of the most important deep water ports on the Atlantic coast. South Carolina is home to the largest BMW producing plant in the world. We have five – yes, five – international tire companies. GE, Google, Bosch, DuPont. I could go on and on. How am I to tell these companies that they will be sharing an address with the most heinous and dangerous terrorists on earth? That the city and the state they chose to call home is now going to be one of the most high-profile terrorist targets in the world? The truth is I can't. And I won't.

Finally, the President wants to talk about cost. Let me first say, if there is one thing we can all agree the federal government is absolutely responsible for, it is defending the people of the United States of America.

And while the Department of Defense is not immune from fiscal waste, running a military prison to detain terrorists during an ongoing armed conflict should not be high on the list of cost-saving measures. I come from a state where we balance our budget – I promise we can help you find the \$85 million elsewhere to cut.

But more than that, cost simply doesn't matter to me. You could pay the state of South Carolina to host these terrorists, and we wouldn't take them. For any amount of money. There is no price worth the fear this reckless idea would strike in the hearts of the people of my state. There is no price worth the inevitable economic downturn it would cause. And there is no price worth watching terrorists across the globe celebrate a victory, and rightly claim that they can dictate the military posture of what should be the most powerful nation in the world.

I'd like to close with this: as the members of this Committee know better than most, national security decisions should be made with one, and only one, consideration in mind: what is in the best interests of the safety and security of the citizens of the United States? While serious policy issues with no easy answers underline the long-term detention and final disposition of terrorists captured during armed conflict, the location of a United States controlled military prison should not be determined based on loose-perception, estimates, and eight-year old campaign pledges.

Last summer, the people of Charleston stared hate directly in the eye. We know true hate, and we know what real fear feels like. We don't need to see it again, nor do we wish it on any other state. Keep the terrorists where they are, where they belong. Don't bring them to my home.

I again thank you for the opportunity to speak here today.

I look forward to your questions.