

106TH CONGRESS
2D SESSION

H. R. 5272

AN ACT

To provide for a United States response in the event of a unilateral declaration of a Palestinian state.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Peace Through Nego-
3 tiations Act of 2000”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) Resolving the political status of the territory
7 controlled by the Palestinian Authority is one of the
8 central issues of the Arab-Israeli conflict.

9 (2) The Palestinian threat to declare an inde-
10 pendent state unilaterally constitutes a fundamental
11 violation of the underlying principles of the Oslo Ac-
12 cords and the Middle East peace process.

13 (3) On March 11, 1999, the Senate overwhelm-
14 ingly adopted Senate Concurrent Resolution 5, and
15 on March 16, 1999, the House of Representatives
16 adopted House Concurrent Resolution 24, both of
17 which resolved that: “any attempt to establish Pales-
18 tinian statehood outside the negotiating process will
19 invoke the strongest congressional opposition.”.

20 (4) On July 25, 2000, Palestinian Chairman
21 Arafat and Israeli Prime Minister Barak issued a
22 joint statement agreeing that the “two sides under-
23 stand the importance of avoiding unilateral actions
24 that prejudice the outcome of negotiations and that
25 their differences will be resolved in good-faith nego-
26 tiations”.

1 **SEC. 3. POLICY OF THE UNITED STATES.**

2 It shall be the policy of the United States to oppose
3 the unilateral declaration of a Palestinian state, to with-
4 hold diplomatic recognition of any Palestinian state that
5 is unilaterally declared, and to encourage other countries
6 and international organizations to withhold diplomatic rec-
7 ognition of any Palestinian state that is unilaterally de-
8 clared.

9 **SEC. 4. MEASURES TO BE APPLIED IF A PALESTINIAN**
10 **STATE IS UNILATERALLY DECLARED.**

11 (a) MEASURES.—Notwithstanding any other provi-
12 sion of law, beginning on the date that a Palestinian state
13 is unilaterally declared and ending on the date such unilat-
14 eral declaration is rescinded or on the date the President
15 notifies the Committee on International Relations of the
16 House of Representatives and the Committee on Foreign
17 Relations of the Senate that an agreement between Israel
18 and the Palestinian Authority regarding the establishment
19 of a Palestinian state has been concluded, the following
20 measures shall be applied:

21 (1) DOWNGRADE IN STATUS OF PALESTINIAN
22 OFFICE IN THE UNITED STATES.—

23 (A) Section 1003 of the Foreign Relations
24 Authorization Act, Fiscal Years 1988 and 1989
25 (Public Law 100–204) as enacted on December
26 22, 1987, shall have the full force and effect of

1 law, and shall apply notwithstanding any waiver
2 or suspension of such section that was author-
3 ized or exercised subsequent to December 22,
4 1987.

5 (B) For purposes of such section, the term
6 “Palestine Liberation Organization or any of its
7 constituent groups, any successor to any of
8 those, or any agents thereof” shall include the
9 Palestinian Authority and the government of
10 any unilaterally declared Palestinian state.

11 (C) Nothing in this paragraph shall be
12 construed to preclude—

13 (i) the establishment or maintenance
14 of a Palestinian information office in the
15 United States, operating under the same
16 terms and conditions as the Palestinian in-
17 formation office that existed prior to the
18 Oslo Accords; or

19 (ii) diplomatic contacts between Pales-
20 tinian officials and United States counter-
21 parts.

22 (2) PROHIBITION ON UNITED STATES ASSIST-
23 ANCE TO A UNILATERALLY DECLARED PALESTINIAN
24 STATE.—United States assistance may not be pro-
25 vided to the government of a unilaterally declared

1 Palestinian state, the Palestinian Authority, or to
2 any successor or related entity.

3 (3) PROHIBITION ON UNITED STATES ASSIST-
4 ANCE TO THE WEST BANK AND GAZA.—United
5 States assistance (except humanitarian assistance)
6 may not be provided to programs or projects in the
7 West Bank or Gaza.

8 (4) AUTHORITY TO WITHHOLD PAYMENT OF
9 UNITED STATES CONTRIBUTIONS TO INTER-
10 NATIONAL ORGANIZATIONS THAT RECOGNIZE A UNI-
11 LATERALLY DECLARED PALESTINIAN STATE.—The
12 President is authorized to—

13 (A) withhold up to 10 percent of the
14 United States assessed contribution to any
15 international organization that recognizes a uni-
16 laterally declared Palestinian state; and

17 (B) reduce the United States voluntary
18 contribution to any international organization
19 that recognizes a unilaterally declared Pales-
20 tinian state up to 10 percent below the level of
21 the United States voluntary contribution to
22 such organization in the fiscal year prior to the
23 fiscal year in which such organization recog-
24 nized a unilaterally declared Palestinian state.

1 (5) OPPOSITION TO LENDING BY INTER-
2 NATIONAL FINANCIAL INSTITUTIONS.—The Sec-
3 retary of the Treasury shall instruct the United
4 States Executive Director at each international fi-
5 nancial institution (as defined in section 1701(c)(2)
6 of the International Financial Institutions Act) to
7 use the voice, vote, and influence of the United
8 States to oppose—

9 (A) membership for a unilaterally declared
10 Palestinian state in such institution, or other
11 recognition of a unilaterally declared Pales-
12 tinian state by such institution; and

13 (B) the extension by such institution to a
14 unilaterally declared Palestinian state of any
15 loan or other financial or technical assistance.

16 (6) LIMITATION ON USE OF FUNDS TO EXTEND
17 UNITED STATES RECOGNITION.—No funds available
18 under any provision of law may be used to extend
19 United States recognition to a unilaterally declared
20 Palestinian state, including, but not limited to,
21 funds for the payment of the salary of any ambas-
22 sador, consul, or other diplomatic personnel to such
23 a unilaterally declared state, or for the cost of estab-
24 lishing, operating, or maintaining an embassy, con-

1 sulate, or other diplomatic facility in such a unilater-
2 ally declared state.

3 (b) SUSPENSION OF MEASURES.—

4 (1) IN GENERAL.—The President may suspend
5 the application of any of paragraphs (3) through (5)
6 of subsection (a) for a period of not more than one
7 year if, with respect to the suspension of the applica-
8 tion of each such paragraph, the President deter-
9 mines and certifies to the Committee on Inter-
10 national Relations of the House of Representatives
11 and the Committee on Foreign Relations of the Sen-
12 ate that such suspension is in the national security
13 interest of the United States. Such certification shall
14 be accompanied by a justification for the basis of the
15 determination.

16 (2) RENEWAL.—The President may renew the
17 suspension of the application of any of paragraphs
18 (3) through (5) of subsection (a) for a successive pe-
19 riod or periods of not more than one year if, before
20 each such period, the President makes a determina-
21 tion and transmits a certification in accordance with
22 paragraph (1).

23 (3) ADDITIONAL REQUIREMENT.—A suspension
24 of the application of any of paragraphs (3) through
25 (5) of subsection (a) under paragraph (1) or para-

1 graph (2) shall cease to be effective after one year
2 or at such earlier date as the President may specify.

3 (c) DEFINITION.—For purposes of paragraphs (2)
4 and (3) of subsection (a), the term “United States
5 assistance”—

6 (1) means—

7 (A) assistance under the Foreign Assist-
8 ance Act of 1961 (22 U.S.C. 2151 et seq.),
9 except—

10 (i) assistance under chapter 8 of part
11 I of such Act (relating to international
12 narcotics control assistance);

13 (ii) assistance under chapter 9 of part
14 I of such Act (relating to international dis-
15 aster assistance); and

16 (iii) assistance under chapter 6 of
17 part II of such Act (relating to assistance
18 for peacekeeping operations);

19 (B) assistance under the Arms Export
20 Control Act (22 U.S.C. 2751 et seq.), including
21 the license or approval for export of defense ar-
22 ticles and defense services under section 38 of
23 that Act; and

24 (C) assistance under the Export-Import
25 Bank Act of 1945; and

1 (2) does not include counter-terrorism assist-
2 ance.

 Passed the House of Representatives September 27,
2000.

Attest:

Clerk.