

106TH CONGRESS  
2D SESSION

# H. R. 5272

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

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2000

Mr. GILMAN (for himself, Mr. NADLER, Mr. LAZIO, Mrs. LOWEY, and Mr. REYNOLDS) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

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

4           (2) The Palestinian threat to declare an inde-  
5 pendent state unilaterally constitutes a fundamental  
6 violation of the underlying principles of the Oslo Ac-  
7 cords and the Middle East peace process.

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

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

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

23           It shall be the policy of the United States to oppose  
24 the unilateral declaration of a Palestinian state, to with-  
25 hold diplomatic recognition of any Palestinian state that

1 is unilaterally declared, and to encourage other countries  
2 and international organizations to withhold diplomatic rec-  
3 ognition of any Palestinian state that is unilaterally de-  
4 clared.

5 **SEC. 4. MEASURES TO BE APPLIED IF A PALESTINIAN**  
6 **STATE IS UNILATERALLY DECLARED.**

7 (a) MEASURES.—Notwithstanding any other provi-  
8 sion of law, beginning on the date that a Palestinian state  
9 is unilaterally declared and ending on the date such unilat-  
10 eral declaration is rescinded or on the date of a signed  
11 negotiated agreement between Israel and the Palestinian  
12 Authority under the terms of which the establishment of  
13 a Palestinian state is mutually agreed upon, the following  
14 measures shall be applied:

15 (1) DOWNGRADE IN STATUS OF PALESTINIAN  
16 OFFICE IN THE UNITED STATES.—

17 (A) Section 1003 of the Foreign Relations  
18 Authorization Act, Fiscal Years 1988 and 1989  
19 (Public Law 100–204) as enacted on December  
20 22, 1987, shall have the full force and effect of  
21 law, and shall apply notwithstanding any waiver  
22 or suspension of such section that was author-  
23 ized or exercised subsequent to December 22,  
24 1987.

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

7 (C) Nothing in this paragraph shall be  
8 construed to preclude—

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

15 (ii) diplomatic contacts between Pales-  
16 tinian officials and United States counter-  
17 parts.

18 (2) PROHIBITION ON UNITED STATES ASSIST-  
19 ANCE TO A UNILATERALLY DECLARED PALESTINIAN  
20 STATE.—United States assistance may not be pro-  
21 vided, directly or indirectly, to the government of a  
22 unilaterally declared Palestinian state, the Pales-  
23 tinian Authority, or to any successor or related enti-  
24 ty.

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

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

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

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

23          (5) OPPOSITION TO LENDING BY INTER-  
24          NATIONAL FINANCIAL INSTITUTIONS.—The Sec-  
25          retary of the Treasury shall instruct the United

1 States Executive Director at each international fi-  
2 nancial institution (as defined in section 1701(c)(2)  
3 of the International Financial Institutions Act) to  
4 use the voice, vote, and influence of the United  
5 States to oppose—

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

10 (B) the extension by such institution to a  
11 unilaterally declared Palestinian state of any  
12 loan or other financial or technical assistance.

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

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

4 (1) means—

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

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

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

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

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

22 (C) assistance under the Export-Import  
23 Bank Act of 1945; and

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

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