

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5272

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28 (legislative day, SEPTEMBER 22), 2000

Received and read the first time

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## AN ACT

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,*

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:

JEFF TRANDAHL,

*Clerk.*

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