

109TH CONGRESS  
2D SESSION

# H. R. 5278

To amend the Foreign Assistance Act of 1961 to assist Palestinian refugees in the West Bank and Gaza to move to post-refugee status, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2006

Mr. KIRK (for himself, Mr. LANTOS, Mr. PENCE, and Mr. ROTHMAN) introduced the following bill; which was referred to the Committee on International Relations

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## A BILL

To amend the Foreign Assistance Act of 1961 to assist Palestinian refugees in the West Bank and Gaza to move to post-refugee status, and for other purposes.

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 “UNRWA Integrity  
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The United Nations Relief and Works  
9 Agency for Palestine Refugees in the Near East

1 (UNRWA) was established in 1949 as a temporary  
2 agency to provide relief services to Palestinian refu-  
3 gees and is the only United Nations agency dedi-  
4 cated to one specific group of refugees.

5 (2) Unlike the United Nations High Commis-  
6 sioner for Refugees which seeks to find “lasting so-  
7 lutions” to the plight of refugees, UNRWA makes  
8 no effort to resettle Palestinian refugees.

9 (3) Since 1950, the United States has contrib-  
10 uted more than \$2 billion to UNRWA.

11 (4) In 2005, the United States contributed  
12 \$108 million to UNRWA, constituting approximately  
13 one-fourth of UNRWA’s 2005 budget.

14 (5) UNRWA has never permitted an inde-  
15 pendent third party audit by an internationally-rec-  
16 ognized auditing firm.

17 (6) The last audit conducted by UNRWA’s own  
18 Board of Auditors and certified by the United Na-  
19 tions Board of Auditors provided only summary to-  
20 tals which were vague and in addition left at least  
21 \$43 million in expenditures completely undefined.

1 **SEC. 3. LIMITATIONS ON UNITED STATES VOLUNTARY CON-**  
2 **TRIBUTIONS TO UNRWA.**

3 (a) AMENDMENT.—Section 301 of the Foreign As-  
4 sistance Act of 1961 (22 U.S.C. 2221) is amended by in-  
5 serting after subsection (a) the following new subsection:

6 “(b) VOLUNTARY CONTRIBUTIONS TO UNRWA.—

7 “(1) LIMITATION.—

8 “(A) IN GENERAL.—Subject to subpara-  
9 graph (B), voluntary contributions by the  
10 United States to the regular budget of the  
11 United Nations Relief and Works Agency for  
12 Palestine Refugees in the Near East  
13 (UNRWA), or to any successor or related enti-  
14 ty, may be provided only during a period for  
15 which a certification described in paragraph (2)  
16 is in effect.

17 “(B) WAIVER.—The President may waive  
18 the limitation requirement of subparagraph (A)  
19 for a period not to exceed 180 days if the Presi-  
20 dent determines that it is the national security  
21 interests of the United States to do so and noti-  
22 fies Congress of such determination.

23 “(2) CERTIFICATION.—A certification described  
24 in this paragraph is a certification transmitted by  
25 the President to Congress that contains a deter-  
26 mination of the President that UNRWA—

1           “(A) is not an impediment to achieving a  
2           lasting solution for Palestinian refugees in the  
3           West Bank and Gaza and moving such refugees  
4           to post-refugee status;

5           “(B) is subject to comprehensive financial  
6           audits by an internationally-recognized third  
7           party independent auditing firm;

8           “(C) does not knowingly provide employ-  
9           ment, refuge, freedom of movement, cash assist-  
10          ance, food assistance, housing rehabilitation as-  
11          sistance, or any other type of social services as-  
12          sistance to members of foreign terrorist organi-  
13          zations; and

14          “(D) does not promote anti-Semitism or  
15          the denial of the right of Israel to exist.

16          “(3) RECERTIFICATIONS.—Not later than 180  
17          days after the date on which the President transmits  
18          to Congress an initial certification under paragraph  
19          (2), and every 180 days thereafter—

20                 “(A) the President shall transmit to Con-  
21                 gress a recertification that the requirements  
22                 contained in paragraph (2) are continuing to be  
23                 met; or

24                 “(B) if the President is unable to make  
25                 such a recertification, the President shall trans-

1           mit to Congress a report that contains the rea-  
2           sons therefor.

3           “(4) CONGRESSIONAL NOTIFICATION.—Vol-  
4           untary contributions by the United States to the  
5           regular budget of UNRWA, or to any successor or  
6           related entity, may not be provided until 15 days  
7           after the date on which the President has provided  
8           notice thereof to the Committee on International Re-  
9           lations and the Committee on Appropriations of the  
10          House of Representatives and to the Committee on  
11          Foreign Relations and the Committee on Appropria-  
12          tions of the Senate in accordance with the proce-  
13          dures applicable to reprogramming notifications  
14          under section 634A(a) of this Act.

15          “(5) DEFINITION.—In this subsection, the term  
16          ‘foreign terrorist organization’ means an organiza-  
17          tion designated as a foreign terrorist organization by  
18          the Secretary of State in accordance with section  
19          219(a) of the Immigration and Nationality Act (8  
20          U.S.C. 1189(a)).”.

21          (b) EFFECTIVE DATE.—The requirements of sub-  
22          section (b) of section 301 of the Foreign Assistance Act  
23          of 1961, as added by subsection (a) of this section, apply  
24          with respect to voluntary contributions by the United  
25          States to the United Nations Relief and Works Agency

1 for Palestine Refugees in the Near East (UNRWA), or  
2 to any successor or related entity, for fiscal year 2007 and  
3 each subsequent fiscal year.

4 **SEC. 4. REPORT.**

5 Not later than one year after the date of the enact-  
6 ment of this Act, the Secretary of State shall submit to  
7 Congress a report on—

8 (1) the extent to which Palestinian refugees and  
9 United States interests are served by activities of the  
10 United Nations Relief and Works Agency for Pal-  
11 estine Refugees in the Near East (UNRWA), includ-  
12 ing a determination as to whether—

13 (A) UNRWA contributes to a solution to  
14 the refugee problem or perpetuates the refugee  
15 problem; and

16 (B) UNRWA programs encourage or dis-  
17 courage Palestinians from moving out of ref-  
18 ugee camps and pursuing an economically inde-  
19 pendent existence;

20 (2) the extent to which UNRWA includes in its  
21 educational materials or other programs anti-Semitic  
22 elements or elements that promote the denial of the  
23 right of Israel to exist;

1           (3) a long-term plan for providing jobs and  
2           housing for Palestinian refugees and for phasing out  
3           services provided by UNRWA;

4           (4) a plan for ensuring that educational mate-  
5           rials used at UNRWA-administered schools do not  
6           promote anti-Semitism or the denial of the right of  
7           Israel to exist; and

8           (5) the efforts of the Secretary to encourage  
9           other donors to UNRWA to support the plans de-  
10          scribed in paragraphs (3) and (4).

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