

119TH CONGRESS
1ST SESSION

S. 493

To prohibit United States cooperation with the International Criminal Court, the use of the Economic Support Fund to support the Palestinian Authority, and any Federal funding for the ICC.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 10, 2025

Mr. SULLIVAN (for himself and Mr. COTTON) introduced the following bill;
which was read twice and referred to the Committee on Foreign Relations

A BILL

To prohibit United States cooperation with the International Criminal Court, the use of the Economic Support Fund to support the Palestinian Authority, and any Federal funding for the ICC.

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 “Stop the ICC Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) In 2014, and in each subsequent year, Con-
8 gress has enacted provisions, including section

1 7041(k)(2)(A)(i)(II) of the Further Consolidated
2 Appropriations Act, 2024 (Public Law 118–47), pro-
3 hibiting the use of economic support funds for the
4 Palestinian Authority if the Palestinians initiate an
5 investigation of the International Criminal Court
6 (referred to in this section as the “ICC”), or actively
7 support such an investigation, which subjects Israeli
8 nationals to an investigation for alleged crimes
9 against Palestinians.

10 (2) On May 22, 2018, the Palestinian Authority
11 initiated an International Criminal Court authorized
12 investigation and have actively supported that inves-
13 tigation, which investigates alleged crimes committed
14 by Israeli nationals against Palestinians.

15 (3) According to the ICC, “[o]n 22 May 2018,
16 pursuant to articles 13(a) and 14 of the Rome Stat-
17 ute, Palestine referred the Situation in Palestine for
18 investigation by the Office of the Prosecutor and
19 specifically requested the Prosecutor ‘to investigate,
20 in accordance with the temporal jurisdiction of the
21 Court, past, ongoing and future crimes within the
22 court’s jurisdiction, committed in all parts of the
23 territory of the State of Palestine’, specifying that
24 ‘[t]he State of Palestine comprises the Palestinian
25 Territory occupied in 1967 by Israel, as defined by

1 the 1949 Armistice Line, [which] includes the West
2 Bank, including East Jerusalem, and the Gaza
3 Strip’.”.

4 (4) In 2021, the ICC opened an investigation
5 into the “Situation in Palestine”.

6 (5) On May 20, 2024, the chief prosecutor of
7 the ICC applied for arrest warrants for Israeli
8 Prime Minister Benjamin Netanyahu and former
9 Defense Minister Yoav Gallant for a range of of-
10 fenses allegedly committed “on the territory of the
11 State of Palestine (in the Gaza strip) from at least
12 8 October 2023”.

13 (6) On November 21, 2024, the ICC Pre-Trial
14 Chamber I rejected challenges made by the State of
15 Israel to—

16 (A) the ICC’s issuance of arrest warrants
17 for Prime Minister Netanyahu and former De-
18 fense Minister Gallant; and

19 (B) the ICC’s jurisdiction on the matter.

20 (7) On November 21, 2024, the ICC issued ar-
21 rest warrants for Prime Minister Netanyahu and
22 former Defense Minister Gallant.

1 **SEC. 3. PROHIBITION AGAINST COOPERATION WITH THE**
 2 **INTERNATIONAL CRIMINAL COURT AND SUP-**
 3 **PORT FOR THE PALESTINIAN AUTHORITY.**

4 (a) PROHIBITION AGAINST COOPERATION WITH THE
 5 ICC.—Notwithstanding any other provision of law, no of-
 6 ficial of the United States may cooperate with the Inter-
 7 national Criminal Court with respect to any matter.

8 (b) FULFILLMENT OF STATUTORY CONDITION.—The
 9 investigation referred to in section 2(a)(2) and the appli-
 10 cation for arrests warrants for Israeli officials referred to
 11 in section 2(a)(5)(A) justifies prohibiting the use of eco-
 12 nomic support funds for the Palestinian Authority in ac-
 13 cordance with section 7041(k)(2)(A)(i)(II) of the Further
 14 Consolidated Appropriations Act, 2024 (Public Law 118–
 15 47).

16 (c) PROHIBITION AGAINST USE OF ECONOMIC SUP-
 17 PORT FUND IN GAZA.—None of the funds made available
 18 pursuant to chapter 4 of part II of the Foreign Assistance
 19 Act of 1961 (22 U.S.C. 2346 et seq.) may be used to pro-
 20 vide support for the Palestinian Authority.

21 (d) PROHIBITION AGAINST FUNDING FOR THE
 22 ICC.—Notwithstanding any other provision of law, no
 23 Federal funds may be—

24 (1) made available for the ICC; or

25 (2) used to support any ICC activity, including
 26 submissions of alleged crimes, preliminary investiga-

- 1 tions, investigations, warrants, surrender or transfer
- 2 of accused persons, prosecutions, trials, appeals, or
- 3 enforcement of ICC rulings.

