

106TH CONGRESS
2D SESSION

S. 3250

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

IN THE SENATE OF THE UNITED STATES

OCTOBER 26 (legislative day, SEPTEMBER 22), 2000

Mr. BROWNBACK (for himself, Mrs. FEINSTEIN, Mr. LUGAR, Mr. SCHUMER, Mr. GORTON, Mr. JOHNSON, Mr. HELMS, Mr. ALLARD, Mr. ASHCROFT, Mr. WYDEN, Mr. TORRICELLI, Mr. DEWINE, Mr. GRAMS, Mr. ROTH, Mrs. HUTCHISON, Mr. SMITH of Oregon, Mr. BOND, Mr. DURBIN, Mr. CLELAND, Mr. GRASSLEY, Ms. COLLINS, Mr. KYL, Mr. BREAUX, Mr. LAUTENBERG, Mr. HATCH, Mr. MURKOWSKI, Mrs. LINCOLN, Ms. LANDRIEU, Mr. SPECTER, Mr. VOINOVICH, Mr. MILLER, Mr. ROBB, Mr. INHOFE, Mr. CRAPO, Mr. BUNNING, Mr. EDWARDS, Ms. MIKULSKI, Mr. LOTT, Mr. DASCHLE, Mr. REID, Mr. SANTORUM, Mr. FITZGERALD, Ms. SNOWE, Mrs. BOXER, Mr. REED, Mr. LEVIN, Mr. MCCONNELL, Mr. HAGEL, Mr. GRAMM, Mr. MOYNIHAN, Mr. KENNEDY, Mr. L. CHAFEE, Mr. CAMPBELL, and Mr. ROCKEFELLER) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

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

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

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

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

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

25 It shall be the policy of the United States to oppose
26 the unilateral declaration of a Palestinian state, to with-

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

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

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

18 (1) DOWNGRADE IN STATUS OF PALESTINIAN
19 OFFICE IN THE UNITED STATES.—

20 (A) Notwithstanding any other provision of
21 law, it shall be unlawful for the government of
22 any unilaterally declared Palestinian state, the
23 Palestinian Authority, the Palestine Liberation
24 Organization, any of its constituent groups, or
25 any successors thereof, to establish or maintain

1 an office, headquarters, premises, or other fa-
2 cilities or establishments within the jurisdiction
3 of the United States.

4 (B) Nothing in this paragraph shall be
5 construed to preclude—

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

12 (ii) diplomatic contacts between Pales-
13 tinian officials and United States counter-
14 parts.

15 (2) PROHIBITION ON UNITED STATES ASSIST-
16 ANCE TO A UNILATERALLY DECLARED PALESTINIAN
17 STATE.—United States assistance may not be pro-
18 vided to the government of a unilaterally declared
19 Palestinian state, the Palestinian Authority, or to
20 any successor or related entity.

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

1 (4) AUTHORITY TO WITHHOLD PAYMENT OF
2 UNITED STATES CONTRIBUTIONS TO INTER-
3 NATIONAL ORGANIZATIONS THAT RECOGNIZE A UNI-
4 LATERALLY DECLARED PALESTINIAN STATE.—The
5 President is authorized to—

6 (A) withhold up to 10 percent of the
7 United States assessed contribution to any
8 international organization that recognizes a uni-
9 laterally declared Palestinian state; and

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

18 (5) OPPOSITION TO LENDING BY INTER-
19 NATIONAL FINANCIAL INSTITUTIONS.—The Sec-
20 retary of the Treasury shall instruct the United
21 States Executive Director at each international fi-
22 nancial institution (as defined in section 1701(c)(2)
23 of the International Financial Institutions Act) to
24 use the voice, vote, and influence of the United
25 States to oppose—

(A) membership for a unilaterally declared Palestinian state in such institution, or other recognition of a unilaterally declared Palestinian state by such institution; and

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

(6) LIMITATION ON USE OF FUNDS TO EXTEND UNITED STATES RECOGNITION.—No funds available under any provision of law may be used to extend United States recognition to a unilaterally declared Palestinian state, including, but not limited to, funds for the payment of the salary of any ambassador, consul, or other diplomatic personnel to such a unilaterally declared state, or for the cost of establishing, operating, or maintaining an embassy, consulate, or other diplomatic facility in such a unilaterally declared state.

(b) SUSPENSION OF MEASURES.—

(1) IN GENERAL.—The President may suspend the application of any of paragraphs (3) through (5) of subsection (a) for a period of not more than one year if, with respect to the suspension of the application of any such paragraph, the President determines and certifies to the Committee on Inter-

1 national Relations of the House of Representatives
2 and the Committee on Foreign Relations of the Sen-
3 ate that—

4 (A) such suspension is in the national se-
5 curity interest of the United States; or

6 (B) the application of such paragraph or
7 paragraphs would significantly hinder the pros-
8 pects for a negotiated peace agreement in the
9 Middle East.

10 Such certification shall be accompanied by a jus-
11 tification for the basis of the determination.

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

19 (3) ADDITIONAL REQUIREMENT.—A suspension
20 of the application of any of paragraphs (3) through
21 (5) of subsection (a) under paragraph (1) or para-
22 graph (2) shall cease to be effective after one year
23 or at such earlier date as the President may specify.

1 (c) 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.

