

109TH CONGRESS
2D SESSION

H. R. 4668

To limit assistance to the Palestinian Authority unless the President certifies to Congress that the Palestinian Authority is not controlled by a foreign terrorist organization, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2006

Mr. FOSSELLA (for himself, Ms. BERKLEY, Mr. CANTOR, Mr. GARRETT of New Jersey, Mr. GERLACH, Mr. BROWN of South Carolina, Mrs. JO ANN DAVIS of Virginia, Mr. SENSENBRENNER, Mr. NORWOOD, Mr. HENSARLING, Mr. McNULTY, Mr. ENGEL, Mr. OTTER, Mr. KLINE, and Mr. JONES of North Carolina) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To limit assistance to the Palestinian Authority unless the President certifies to Congress that the Palestinian Authority is not controlled by a foreign terrorist organization, 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 “Limitation on Assist-
5 ance to the Palestinian Authority Act of 2006”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) In fiscal year 2005, the United States pro-
4 vided \$275 million to the West Bank and Gaza, of
5 which \$50 million was provided directly to the Pales-
6 tinian Authority.

7 (2) On January 25, 2006, the militant group
8 Hamas, an organization designated by the Depart-
9 ment of State as a foreign terrorist organization,
10 won parliamentary elections and control of the Pal-
11 estinian government.

12 (3) The inclusion of Hamas or any other for-
13 eign terrorist organization in a Palestinian govern-
14 ment is an implicit endorsement of anti-American
15 and anti-Israeli terrorist ideology.

16 (4) On December 16, 2005, the House of Rep-
17 resentatives overwhelmingly passed House Resolu-
18 tion 575, which asserts that “terrorist organizations,
19 such as Hamas, should not be permitted to partici-
20 pate in Palestinian elections until such organizations
21 recognize Israel’s right to exist as a Jewish state,
22 cease incitement, condemn terrorism, and perma-
23 nently disarm and dismantle their terrorist infra-
24 structure”.

25 (5) House Resolution 575 further asserts that
26 “the inclusion of Hamas, or any other terrorist

1 group on the Department of State's list of foreign
2 terrorist organizations, in the Palestinian
3 Authority's government will inevitably raise serious
4 questions for the United States about the commit-
5 ment of the Palestinian Authority and its leadership
6 to making peace with Israel and will potentially un-
7 dermine the ability of the United States to have a
8 constructive relationship with, or provide further as-
9 sistance to, the Palestinian Authority''.

10 (6) Hamas is a terrorist organization that has
11 killed more than 500 people since 1989, including
12 more than two dozen United States citizens.

13 (7) The United States has clearly stated that
14 armed militias attached to political parties are in-
15 compatible with democratic societies.

16 **SEC. 3. DECLARATION OF POLICY.**

17 It shall be the policy of the United States to promote
18 the emergence of a democratic Palestinian government
19 that—

20 (1) denounces and combats terrorism;

21 (2) is actively working to disarm and dis-
22 mantle terrorist agencies, networks, and facilities;

23 (3) is actively working to eliminate terrorist in-
24 citement and the commemoration of terrorists in
25 Palestinian society;

1 (4) respects the boundaries and sovereignty of
2 its neighbors;

3 (5) recognizes the existence of Israel and its
4 right to secure borders; and

5 (6) acknowledges, respects, and upholds the
6 human rights of all people.

7 **SEC. 4. LIMITATION ON ASSISTANCE TO THE PALESTINIAN**
8 **AUTHORITY.**

9 Chapter 1 of part III of the Foreign Assistance Act
10 of 1961 (22 U.S.C. 2351 et seq.) is amended—

11 (1) by redesignating the second section 620G
12 (as added by section 149 of Public Law 104–164
13 (110 Stat. 1436)) as section 620J; and

14 (2) by adding at the end the following new sec-
15 tion:

16 **“SEC. 620K. LIMITATION ON ASSISTANCE TO THE PALES-**
17 **TINIAN AUTHORITY.**

18 “(a) LIMITATION.—Assistance may be provided
19 under this Act or any other provision of law to the Pales-
20 tinian Authority only during a period for which a certifi-
21 cation described in subsection (b) is in effect.

22 “(b) CERTIFICATION.—A certification described in
23 this subsection is a certification transmitted by the Presi-
24 dent to Congress that contains a determination of the
25 President that—

1 “(1) the Palestinian Authority is not controlled
2 by a foreign terrorist organization; and

3 “(2) the Palestinian Authority—

4 “(A) recognizes the right of Israel to exist;

5 “(B) disarms all militias;

6 “(C) renounces violence and acts of ter-
7 rorism against Israel; and

8 “(D) takes definitive steps to be an active
9 and willing participant in peace negotiations
10 and removes people with ties to terrorist organi-
11 zations from its security services.

12 “(c) RECERTIFICATIONS.—Not later than 90 days
13 after the date on which the President transmits to Con-
14 gress an initial certification under subsection (b), and
15 every 6 months thereafter—

16 “(1) the President shall transmit to Congress a
17 recertification that the requirements contained in
18 subsection (b) are continuing to be met; or

19 “(2) if the President is unable to make such a
20 recertification, the President shall transmit to Con-
21 gress a report that contains the reasons therefor.

22 “(d) CONGRESSIONAL NOTIFICATION.—Assistance
23 made available under this Act or any other provision of
24 law to the Palestinian Authority may not be provided until
25 15 days after the date on which the President has pro-

1 vided notice thereof to the Committee on International Re-
2 lations and the Committee on Appropriations of the House
3 of Representatives and to the Committee on Foreign Rela-
4 tions and the Committee on Appropriations of the Senate
5 in accordance with the procedures applicable to re-
6 programming notifications under section 634A(a) of this
7 Act.

8 “(e) DEFINITIONS.—In this section:

9 “(1) FOREIGN TERRORIST ORGANIZATION.—

10 The term ‘foreign terrorist organization’ means an
11 organization designated as a foreign terrorist organi-
12 zation by the Secretary of State in accordance with
13 section 219(a) of the Immigration and Nationality
14 Act (8 U.S.C. 1189(a)).

15 “(2) PALESTINIAN AUTHORITY.—The term
16 ‘Palestinian Authority’ includes any agency or in-
17 strumentality of the Palestinian Authority.”.

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