

111TH CONGRESS
2D SESSION

H. R. 5065

To ensure accountability for United States taxpayers' humanitarian assistance
for Palestinian refugees.

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 2010

Ms. ROS-LEHTINEN (for herself, Mr. BURTON of Indiana, Mr. KIRK, Mrs. BACHMANN, Mrs. MILLER of Michigan, and Mr. SHIMKUS) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To ensure accountability for United States taxpayers' humanitarian assistance for Palestinian refugees.

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 Humani-
5 tarian Accountability Act.”

6 **SEC. 2. UNITED STATES CONTRIBUTIONS TO UNRWA.**

7 Section 301 of the Foreign Assistance Act of 1961
8 is amended by striking subsection (c) and inserting the
9 following new subsection:

1 “(c)(1) WITHHOLDING.—Contributions by the
2 United States to the United Nations Relief and Works
3 Agency for Palestine Refugees in the Near East
4 (UNRWA), to any successor or related entity, or to the
5 regular budget of the United Nations for the support of
6 UNRWA or a successor entity (through staff positions
7 provided by the United Nations Secretariat, or otherwise),
8 may be provided only during a period for which a certifi-
9 cation described in paragraph (2) is in effect.

10 “(2) CERTIFICATION.—A certification described in
11 this paragraph is a written determination by the Secretary
12 of State, based on all information available after diligent
13 inquiry, and transmitted to the appropriate congressional
14 committees along with a detailed description of the factual
15 basis therefor, that—

16 “(A) no official, employee, consultant, con-
17 tractor, subcontractor, representative, or affiliate of
18 UNRWA—

19 “(i) is a member of a Foreign Terrorist
20 Organization;

21 “(ii) has propagated, disseminated, or in-
22 cited anti-American, anti-Israel, or anti-Semitic
23 rhetoric or propaganda; or

24 “(iii) has used any UNRWA resources, in-
25 cluding publications or Web sites, to propagate

1 or disseminate political materials, including po-
2 litical rhetoric regarding the Israeli-Palestinian
3 conflict;

4 “(B) no UNRWA school, hospital, clinic, other
5 facility, or other infrastructure or resource is being
6 used by a Foreign Terrorist Organization for oper-
7 ations, planning, training, recruitment, fundraising,
8 indoctrination, communications, sanctuary, storage
9 of weapons or other materials, or any other pur-
10 poses;

11 “(C) UNRWA is subject to comprehensive fi-
12 nancial audits by an internationally recognized third
13 party independent auditing firm and has imple-
14 mented an effective system of vetting and oversight
15 to prevent the use, receipt, or diversion of any
16 UNRWA resources by any foreign terrorist organiza-
17 tion or members thereof;

18 “(D) no UNRWA-funded school or educational
19 institution uses textbooks or other educational mate-
20 rials that propagate or disseminate anti-American,
21 anti-Israel, or anti-Semitic rhetoric, propaganda or
22 incitement;

23 “(E) no recipient of UNRWA funds or loans is
24 a member of a Foreign Terrorist Organization; and

1 “(F) UNRWA holds no accounts or other affili-
2 ations with financial institutions that the United
3 States deems or believes to be complicit in money
4 laundering and terror financing.

5 “(3) DEFINITION.—In this section:

6 “(A) FOREIGN TERRORIST ORGANIZATION.—
7 The term ‘Foreign Terrorist Organization’ means an
8 organization designated as a Foreign Terrorist Or-
9 ganization by the Secretary of State in accordance
10 with section 219(a) of the Immigration and Nation-
11 ality Act (8 U.S.C. 1189(a)).

12 “(B) APPROPRIATE CONGRESSIONAL COMMIT-
13 TEES.—The term ‘appropriate congressional com-
14 mittees’ means—

15 “(i) the Committees on Foreign Affairs,
16 Appropriations, and Oversight and Government
17 Reform of the House; and

18 “(ii) the Committees on Foreign Relations,
19 Appropriations, and Homeland Security and
20 Governmental Affairs of the Senate.

21 “(4) EFFECTIVE DURATION OF CERTIFICATION.—
22 The certification described in paragraph (2) shall be effec-
23 tive for a period of 180 days from the date of transmission
24 to the appropriate congressional committees, or until the
25 Secretary receives information rendering that certification

1 factually inaccurate, whichever is earliest. In the event
2 that a certification becomes ineffective, the Secretary shall
3 promptly transmit to the appropriate congressional com-
4 mittees a description of any information that precludes the
5 renewal or continuation of the certification.

6 “(5) LIMITATION.—During a period for which a cer-
7 tification described in paragraph (2) is in effect, the
8 United States may not contribute to the United Nations
9 Relief and Works Agency for Palestine Refugees in the
10 Near East (UNRWA) or a successor entity an annual
11 amount—

12 “(A) greater than the highest annual contribu-
13 tion to UNRWA made by a member country of the
14 League of Arab States;

15 “(B) that, as a proportion of the total UNRWA
16 budget, exceeds the proportion of the total budget
17 for the United Nations High Commissioner for Ref-
18 ugees (UNHCR) paid by the United States; or

19 “(C) that exceeds 22 percent of the total budget
20 of UNRWA.”.

21 **SEC. 3. SENSE OF CONGRESS.**

22 It is the sense of Congress that—

23 (1) the President and the Secretary of State
24 should lead a high-level diplomatic effort to encour-
25 age other responsible nations to withhold contribu-

1 tions to UNRWA, to any successor or related entity,
2 or to the regular budget of the United Nations for
3 the support of UNRWA or a successor entity
4 (through staff positions provided by the United Na-
5 tions Secretariat, or otherwise) until UNRWA has
6 met the conditions listed in subparagraphs (A)
7 through (F) of section 301(c)(2) of the Foreign As-
8 sistance Act of 1961 (as added by section 2 of this
9 Act);

10 (2) citizens of recognized states should be re-
11 moved from UNRWA’s jurisdiction;

12 (3) UNRWA’s definition of a “Palestine ref-
13 ugee” should be changed to that used for a refugee
14 by the Office of the United Nations High Commis-
15 sioner for Refugees; and

16 (4) in order to alleviate the suffering of Pales-
17 tinian refugees, responsibility for those refugees
18 should be fully transferred to the Office of the
19 United Nations High Commissioner for Refugees.

○