

## Calendar No. 247

117TH CONGRESS  
2D SESSION**S. 3467**

To withhold United States contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JANUARY 10, 2022

Mr. RISCH (for himself, Mr. CRAPO, Mr. WICKER, Mr. SCOTT of Florida, Mr. TILLIS, Mr. BOOZMAN, and Mr. THUNE) introduced the following bill; which was read the first time

JANUARY 18, 2022

Read the second time and placed on the calendar

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**A BILL**

To withhold United States contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), 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 Account-  
5 ability and Transparency Act”.

1 **SEC. 2. STATEMENT OF POLICY.**

2 (a) PALESTINIAN REFUGEE DEFINED.—It shall be  
3 the policy of the United States, in matters concerning the  
4 United Nations Relief and Works Agency for Palestine  
5 Refugees in the Near East (referred to in this Act as  
6 “UNRWA”), which operates in Syria, Lebanon, Jordan,  
7 the Gaza Strip, and the West Bank, to define a Pales-  
8 tinian refugee as a person who—

9 (1) resided, between June 1946 and May 1948,  
10 in the region controlled by Britain between 1922  
11 and 1948 that was known as Mandatory Palestine;

12 (2) was personally displaced as a result of the  
13 1948 Arab-Israeli conflict; and

14 (3) has not accepted an offer of legal residency  
15 status, citizenship, or other permanent adjustment  
16 in status in another country or territory.

17 (b) LIMITATIONS ON REFUGEE AND DERIVATIVE  
18 REFUGEE STATUS.—In applying the definition under sub-  
19 section (a) with respect to refugees receiving assistance  
20 from UNRWA, it shall be the policy of the United States,  
21 consistent with the definition of refugee in section  
22 101(a)(42) of the Immigration and Nationality Act (8  
23 U.S.C. 1101(a)(42)) and the requirements for eligibility  
24 for refugee status under section 207 of such Act (8 U.S.C.  
25 1157), that—

1           (1) derivative refugee status may only be ex-  
2           tended to the spouse or a minor child of a Pales-  
3           tinian refugee; and

4           (2) an alien who is firmly resettled in any coun-  
5           try is not eligible to retain refugee status.

6 **SEC. 3. UNITED STATES' CONTRIBUTIONS TO UNRWA.**

7           Section 301(c) of the Foreign Assistance Act of 1961  
8 (22 U.S.C. 2221) is amended to read as follows:

9           “(c) WITHHOLDING.—

10           “(1) DEFINITIONS.—In this subsection:

11           “(A) ANTI-SEMITIC.—The term ‘anti-Se-  
12           mitic’—

13           “(i) has the meaning adopted on May  
14           26, 2016, by the International Holocaust  
15           Remembrance Alliance as the non-legally  
16           binding working definition of antisemitism;  
17           and

18           “(ii) includes the contemporary exam-  
19           ples of antisemitism in public life, the  
20           media, schools, the workplace, and in the  
21           religious sphere identified on such date by  
22           the International Holocaust Remembrance  
23           Alliance.

1           “(B) APPROPRIATE CONGRESSIONAL COM-  
2           MITTEES.—The term ‘appropriate congressional  
3           committees’ means—

4                   “(i) the Committee on Foreign Rela-  
5                   tions of the Senate;

6                   “(ii) the Committee on Appropriations  
7                   of the Senate;

8                   “(iii) the Committee on Foreign Af-  
9                   fairs of the House of Representatives; and

10                   “(iv) the Committee on Appropria-  
11                   tions of the House of Representatives.

12           “(C) BOYCOTT OF, DIVESTMENT FROM,  
13           AND SANCTIONS AGAINST ISRAEL.—The term  
14           ‘boycott of, divestment from, and sanctions  
15           against Israel’ has the meaning given to such  
16           term in section 909(f)(1) of the Trade Facilita-  
17           tion and Trade Enforcement Act of 2015 (19  
18           U.S.C. 4452(f)(1)).

19           “(D) FOREIGN TERRORIST ORGANIZA-  
20           TION.—The term ‘foreign terrorist organization’  
21           means an organization designated as a foreign  
22           terrorist organization by the Secretary of State  
23           in accordance with section 219(a) of the Immi-  
24           gration and Nationality Act (8 U.S.C. 1189(a)).

1           “(E) UNRWA.—The term ‘UNRWA’  
2           means the United Nations Relief and Works  
3           Agency for Palestine Refugees in the Near  
4           East.

5           “(2) CERTIFICATION.—Notwithstanding any  
6           other provision of law, the United States may not  
7           provide contributions to UNRWA, to any successor  
8           or related entity, or to the regular budget of the  
9           United Nations for the support of UNRWA or a  
10          successor entity (through staff positions provided by  
11          the United Nations Secretariat or otherwise) unless  
12          the Secretary of State submits a written certification  
13          to the appropriate congressional committees that—

14               “(A) no official, employee, consultant, con-  
15               tractor, subcontractor, representative, affiliate  
16               of UNRWA, an UNRWA partner organization,  
17               or an UNRWA contracting entity pursuant to  
18               completion of a thorough vetting and back-  
19               ground check process—

20                       “(i) is a member of, is affiliated with,  
21                       or has any ties to a foreign terrorist orga-  
22                       nization, including Hamas and Hezbollah;

23                       “(ii) has advocated, planned, spon-  
24                       sored, or engaged in any terrorist activity;

1           “(iii) has propagated or disseminated  
2 anti-American, anti-Israel, or anti-Semitic  
3 rhetoric, incitement, or propaganda, in-  
4 cluding—

5           “(I) calling for or encouraging  
6 the destruction of Israel;

7           “(II) failing to recognize Israel’s  
8 right to exist;

9           “(III) showing maps without  
10 Israel;

11           “(IV) describing Israelis as ‘occu-  
12 piers’ or ‘settlers’;

13           “(V) advocating, endorsing, or  
14 expressing support for violence, ha-  
15 tred, jihad, martyrdom, or terrorism,  
16 glorifying, honoring, or otherwise me-  
17 morializing any person or group that  
18 has advocated, sponsored, or com-  
19 mitted acts of terrorism, or providing  
20 material support to terrorists or their  
21 families;

22           “(VI) expressing support for boy-  
23 cott of, divestment from, and sanc-  
24 tions against Israel (commonly re-  
25 ferred to as ‘BDS’);

1                   “(VII) claiming or advocating for  
2                   a ‘right of return’ of refugees into  
3                   Israel;

4                   “(VIII) ignoring, denying, or not  
5                   recognizing the historic connection of  
6                   the Jewish people to the land of  
7                   Israel; and

8                   “(IX) calling for violence against  
9                   Americans; or

10                  “(iv) has used any UNRWA re-  
11                  sources, including publications, websites, or  
12                  social media platforms, to propagate or  
13                  disseminate anti-American, anti-Israel, or  
14                  anti-Semitic rhetoric, incitement, or propa-  
15                  ganda, including with respect to any of the  
16                  matters described in subclauses (I)  
17                  through (IX) of clause (iii);

18                  “(B) no UNRWA school, hospital, clinic,  
19                  facility, or other infrastructure or resource is  
20                  being used by a foreign terrorist organization or  
21                  any member thereof—

22                  “(i) for terrorist activities, such as op-  
23                  erations, planning, training, recruitment,  
24                  fundraising, indoctrination, communica-

1           tions, sanctuary, storage of weapons or  
2           other materials; or

3           “(ii) as an access point to any under-  
4           ground tunnel network, or any other ter-  
5           rorist-related purposes;

6           “(C) UNRWA is subject to comprehensive  
7           financial audits by an internationally recognized  
8           third party independent auditing firm that—

9           “(i) is agreed upon by the Govern-  
10          ment of Israel and the Palestinian Author-  
11          ity; and

12          “(ii) has implemented an effective sys-  
13          tem of vetting and oversight to prevent the  
14          use, receipt, or diversion of any UNRWA  
15          resources by any foreign terrorist organiza-  
16          tion or members thereof;

17          “(D) no UNRWA controlled or funded fa-  
18          cility, such as a school, an educational institu-  
19          tion, or a summer camp, uses textbooks or  
20          other educational materials that propagate or  
21          disseminate anti-American, anti-Israel, or anti-  
22          Semitic rhetoric, incitement, or propaganda, in-  
23          cluding with respect to any of the matters de-  
24          scribed in subclauses (I) through (IX) of sub-  
25          paragraph (A)(iii);



1           “(E) no recipient of UNRWA funds or  
2 loans is—

3                   “(i) a member of, is affiliated with, or  
4 has any ties to a foreign terrorist organiza-  
5 tion; or

6                   “(ii) otherwise engaged in terrorist ac-  
7 tivities; and

8           “(F) UNRWA holds no accounts or other  
9 affiliations with financial institutions that the  
10 United States considers or believes to be  
11 complicit in money laundering and terror fi-  
12 nancing.

13           “(3) PERIOD OF EFFECTIVENESS.—

14                   “(A) IN GENERAL.—A certification de-  
15 scribed in paragraph (2) shall be effective until  
16 the earlier of—

17                           “(i) the date on which the Secretary  
18 receives information rendering the certifi-  
19 cation described in paragraph (2) factually  
20 inaccurate; or

21                           “(ii) the date that is 180 days after  
22 the date on which it is submitted to the  
23 appropriate congressional committees.

24           “(B) NOTIFICATION OF RENUNCIATION.—

25           If a certification becomes ineffective pursuant

1 to subparagraph (A), the Secretary shall  
2 promptly notify the appropriate congressional  
3 committees of the reasons for renouncing or  
4 failing to renew such certification.

5 “(4) LIMITATION.—During any year in which a  
6 certification described in paragraph (1) is in effect,  
7 the United States may not contribute to UNRWA,  
8 or to any successor entity, an amount that—

9 “(A) is greater than the highest contribu-  
10 tion to UNRWA made by a member country of  
11 the League of Arab States for such year; and

12 “(B) is greater (as a proportion of the  
13 total UNRWA budget) than the proportion of  
14 the total budget for the United Nations High  
15 Commissioner for Refugees paid by the United  
16 States.”.

17 **SEC. 4. REPORT.**

18 (a) APPROPRIATE CONGRESSIONAL COMMITTEES  
19 DEFINED.—In this section, the term “appropriate con-  
20 gressional committees” means—

21 (1) the Committee on Foreign Relations of the  
22 Senate;

23 (2) the Committee on Appropriations of the  
24 Senate;

1           (3) the Committee on Foreign Affairs of the  
2           House of Representatives; and

3           (4) the Committee on Appropriations of the  
4           House of Representatives.

5           (b) IN GENERAL.—Not later than 180 days after the  
6           date of the enactment of this Act, and annually thereafter,  
7           the Secretary of State shall submit a report to the appro-  
8           priate congressional committees describing the actions  
9           being taken to implement a comprehensive plan for—

10           (1) encouraging other countries to adopt the  
11           policy regarding Palestinian refugees that is de-  
12           scribed in section 2;

13           (2) urging other countries to withhold their  
14           contributions to UNRWA, to any successor or re-  
15           lated entity, or to the regular budget of the United  
16           Nations for the support of UNRWA or a successor  
17           entity (through staff positions provided by the  
18           United Nations Secretariat or otherwise) until  
19           UNRWA has met the conditions listed in subpara-  
20           graphs (A) through (F) of section 301(e)(2) of the  
21           Foreign Assistance Act of 1961, as added by section  
22           3;

23           (3) working with other countries to phase out  
24           UNRWA and assist Palestinians receiving UNRWA  
25           services by—

1 (A) integrating such Palestinians into their  
2 local communities in the countries in which they  
3 are residing; or

4 (B) resettling such Palestinians in coun-  
5 tries other than Israel or territories controlled  
6 by Israel in the West Bank in accordance with  
7 international humanitarian principles; and

8 (4) ensuring that the actions described in para-  
9 graph (3)—

10 (A) are being implemented in complete co-  
11 ordination with, and with the support of, Israel;  
12 and

13 (B) do not endanger the security of Israel  
14 in any way.

15 **SEC. 5. EFFECTIVE DATE.**

16 This Act shall take effect on the date that is 5 days  
17 after the date of the enactment of this Act.



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