

109TH CONGRESS
2^D SESSION

H. R. 4681

IN THE SENATE OF THE UNITED STATES

MAY 24, 2006

Received

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Read twice and referred to the Committee on Foreign Relations

AN ACT

To promote the development of democratic institutions in areas under the administrative control of the Palestinian Authority, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Palestinian Anti-Ter-
3 rorism Act of 2006”.

4 **SEC. 2. LIMITATION ON ASSISTANCE TO THE PALESTINIAN**
5 **AUTHORITY.**

6 (a) **DECLARATION OF POLICY.**—It shall be the policy
7 of the United States—

8 (1) to support a peaceful, two-state solution to
9 end the conflict between Israel and the Palestinians
10 in accordance with the Performance-Based Roadmap
11 to a Permanent Two-State Solution to the Israeli-
12 Palestinian Conflict (commonly referred to as the
13 “Roadmap”);

14 (2) to oppose those organizations, individuals,
15 and countries that support terrorism and violence;

16 (3) to urge members of the international com-
17 munity to avoid contact with and refrain from finan-
18 cially supporting the terrorist organization Hamas
19 or a Hamas-controlled Palestinian Authority until
20 Hamas agrees to recognize Israel, renounce violence,
21 disarm, and accept prior agreements, including the
22 Roadmap;

23 (4) to promote the emergence of a democratic
24 Palestinian governing authority that—

25 (A) denounces and combats terrorism;

1 (B) has agreed to and is taking action to
2 disarm and dismantle any terrorist agency, net-
3 work, or facility;

4 (C) has agreed to work to eliminate anti-
5 Israel and anti-Semitic incitement and the com-
6 memoration of terrorists in Palestinian society;

7 (D) has agreed to respect the sovereignty
8 of its neighbors;

9 (E) acknowledges, respects, and upholds
10 the human rights of all people;

11 (F) implements the rule of law, good gov-
12 ernance, and democratic practices, including
13 conducting free, fair, and transparent elections
14 in compliance with international standards;

15 (G) ensures institutional and financial
16 transparency and accountability; and

17 (H) has agreed to recognize the State of
18 Israel as an independent, sovereign, Jewish,
19 democratic state; and

20 (5) to continue to support assistance to the Pal-
21 estinian people.

22 (b) AMENDMENTS.—Chapter 1 of part III of the For-
23 eign Assistance Act of 1961 (22 U.S.C. 2351 et seq.) is
24 amended—

1 (1) by redesignating the second section 620G
2 (as added by section 149 of Public Law 104–164
3 (110 Stat. 1436)) as section 620J; and

4 (2) by adding at the end the following new sec-
5 tion:

6 **“SEC. 620K. LIMITATION ON ASSISTANCE TO THE PALES-**
7 **TINIAN AUTHORITY.**

8 “(a) **LIMITATION.**—Except as provided in subsection
9 (e), assistance may be provided under this Act to the Pal-
10 estinian Authority only during a period for which a certifi-
11 cation described in subsection (b) is in effect.

12 “(b) **CERTIFICATION.**—A certification described in
13 this subsection is a certification transmitted by the Presi-
14 dent to Congress that contains a determination of the
15 President that—

16 “(1) no ministry, agency, or instrumentality of
17 the Palestinian Authority is controlled by a foreign
18 terrorist organization and no member of a foreign
19 terrorist organization serves in a senior policy mak-
20 ing position in a ministry, agency, or instrumentality
21 of the Palestinian Authority;

22 “(2) the Palestinian Authority has—

23 “(A) publicly acknowledged Israel’s right
24 to exist as a Jewish state; and

1 “(B) recommitted itself and is adhering to
2 all previous agreements and understandings by
3 the Palestine Liberation Organization and the
4 Palestinian Authority with the Government of
5 the United States, the Government of Israel,
6 and the international community, including
7 agreements and understandings pursuant to the
8 Performance-Based Roadmap to a Permanent
9 Two-State Solution to the Israeli-Palestinian
10 Conflict (commonly referred to as the ‘Road-
11 map’); and

12 “(3) the Palestinian Authority has taken effec-
13 tive steps and made demonstrable progress toward—

14 “(A) completing the process of purging
15 from its security services individuals with ties to
16 terrorism;

17 “(B) dismantling all terrorist infrastruc-
18 ture, confiscating unauthorized weapons, arrest-
19 ing and bringing terrorists to justice, destroying
20 unauthorized arms factories, thwarting and pre-
21 empting terrorist attacks, and fully cooperating
22 with Israel’s security services;

23 “(C) halting all anti-Israel incitement in
24 Palestinian Authority-controlled electronic and
25 print media and in schools, mosques, and other

1 institutions it controls, and replacing these ma-
2 terials, including textbooks, with materials that
3 promote tolerance, peace, and coexistence with
4 Israel;

5 “(D) ensuring democracy, the rule of law,
6 and an independent judiciary, and adopting
7 other reforms such as ensuring transparent and
8 accountable governance; and

9 “(E) ensuring the financial transparency
10 and accountability of all government ministries
11 and operations.

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 six 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 to the Palestinian Authority
24 may not be provided until 15 days after the date on which
25 the President has provided notice thereof to the Com-

1 mittee on International Relations and the Committee on
2 Appropriations of the House of Representatives and to the
3 Committee on Foreign Relations and the Committee on
4 Appropriations of the Senate in accordance with the proce-
5 dures applicable to reprogramming notifications under
6 section 634A(a) of this Act.

7 “(e) EXCEPTIONS.—

8 “(1) IN GENERAL.—Subsection (a) shall not
9 apply with respect to the following:

10 “(A) ASSISTANCE TO INDEPENDENT ELEC-
11 TIONS COMMISSIONS.—Assistance to any Pales-
12 tinian independent election commission if the
13 President transmits to Congress a certification
14 that contains a determination of the President
15 that—

16 “(i) no member of such commission is
17 a member of, affiliated with, or appointed
18 by a foreign terrorist organization; and

19 “(ii) each member of such commission
20 is independent of the influence of any po-
21 litical party or movement.

22 “(B) ASSISTANCE TO SUPPORT THE MID-
23 DLE EAST PEACE PROCESS.—Assistance to the
24 Office of the President of the Palestinian Au-
25 thority for non-security expenses directly re-

1 lated to facilitating a peaceful resolution of the
2 Israeli-Palestinian conflict or for the personal
3 security detail of the President of the Pales-
4 tinian Authority if the President transmits to
5 Congress a certification that contains a deter-
6 mination of the President that—

7 “(i) such assistance is critical to fa-
8 cilitating a peaceful resolution of the
9 Israeli-Palestinian conflict;

10 “(ii) the President of the Palestinian
11 Authority is not a member of or affiliated
12 with a foreign terrorist organization and
13 has rejected the use of terrorism to resolve
14 the Israeli-Palestinian conflict;

15 “(iii) such assistance will not be used
16 to provide funds to any individual who is
17 a member of or affiliated with a foreign
18 terrorist organization or who has not re-
19 jected the use of terrorism to resolve the
20 Israeli-Palestinian conflict; and

21 “(iv) such assistance will not be re-
22 transferred to any other entity within or
23 outside of the Palestinian Authority except
24 as payment for legal goods or services ren-
25 dered.

1 “(2) ADDITIONAL REQUIREMENTS.—Assistance
2 described in paragraph (1) may be provided only if
3 the President—

4 “(A) determines that the provision of such
5 assistance is important to the national security
6 interests of the United States; and

7 “(B) not less than 30 days prior to the ob-
8 ligation of amounts for the provision of such as-
9 sistance—

10 “(i) consults with the appropriate con-
11 gressional committees regarding the spe-
12 cific programs, projects, and activities to
13 be carried out using such assistance; and

14 “(ii) submits to the appropriate con-
15 gressional committees a written memo-
16 randum that contains the determination of
17 the President under subparagraph (A).

18 “(3) DEFINITION.—In this subsection, the term
19 ‘appropriate congressional committees’ means—

20 “(A) the Committee on International Rela-
21 tions and the Committee on Appropriations of
22 the House of Representatives; and

23 “(B) the Committee on Foreign Relations
24 and the Committee on Appropriations of the
25 Senate.

1 “(f) DEFINITIONS.—In this section:

2 “(1) FOREIGN TERRORIST ORGANIZATION.—

3 The term ‘foreign terrorist organization’ means an
4 organization designated as a foreign terrorist organi-
5 zation by the Secretary of State in accordance with
6 section 219(a) of the Immigration and Nationality
7 Act (8 U.S.C. 1189(a)).

8 “(2) PALESTINIAN AUTHORITY.—The term

9 ‘Palestinian Authority’ means the interim Pales-
10 tinian administrative organization that governs part
11 of the West Bank and all of the Gaza Strip (or any
12 successor Palestinian governing entity), including
13 the Palestinian Legislative Council.”.

14 (c) APPLICABILITY TO UNEXPENDED FUNDS.—Sec-

15 tion 620K of the Foreign Assistance Act of 1961, as
16 added by subsection (b), applies with respect to unex-
17 pended funds obligated for assistance under the Foreign
18 Assistance Act of 1961 to the Palestinian Authority before
19 the date of the enactment of this Act.

20 (d) REPORT BY COMPTROLLER GENERAL.—Not later

21 than 180 days after the date of the enactment of this Act,
22 the Comptroller General of the United States shall submit
23 to the appropriate congressional committees a report that
24 contains a review of the proposed procedures by which
25 United States assistance to the Palestinian Authority

1 under the Foreign Assistance Act of 1961 will be audited
2 by the Department of State, the United States Agency for
3 International Development, and all other relevant depart-
4 ments and agencies of the Government of the United
5 States and any recommendations for improvement of such
6 procedures.

7 (e) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that the President should be guided by the principles
9 and procedures described in section 620K of the Foreign
10 Assistance Act of 1961, as added by subsection (b), in pro-
11 viding direct assistance to the Palestinian Authority under
12 any provision of law other than the Foreign Assistance
13 Act of 1961.

14 **SEC. 3. LIMITATION ON ASSISTANCE FOR THE WEST BANK**
15 **AND GAZA.**

16 (a) AMENDMENT.—Chapter 1 of part III of the For-
17 eign Assistance Act of 1961 (22 U.S.C. 2351 et seq.), as
18 amended by section 2(b)(2) of this Act, is further amended
19 by adding at the end the following new section:

20 **“SEC. 620L. LIMITATION ON ASSISTANCE FOR THE WEST**
21 **BANK AND GAZA.**

22 “(a) LIMITATION.—Except as provided in subsection
23 (d), assistance may be provided under this Act to non-
24 governmental organizations for the West Bank and Gaza
25 only during a period for which a certification described

1 in section 620K(b) of this Act is in effect with respect
2 to the Palestinian Authority.

3 “(b) MARKING REQUIREMENT.—Assistance provided
4 under this Act to nongovernmental organizations for the
5 West Bank and Gaza shall be marked as assistance from
6 the Government of the United States unless the Secretary
7 of State or the Administrator of the United States Agency
8 for International Development determines that such mark-
9 ing will endanger the lives or safety of persons delivering
10 or receiving such assistance or would have a material ad-
11 verse effect on the implementation of such assistance.

12 “(c) CONGRESSIONAL NOTIFICATION.—Assistance
13 made available under this Act to nongovernmental organi-
14 zations for the West Bank and Gaza may not be provided
15 until 15 days after the date on which the President has
16 provided notice thereof to the Committee on International
17 Relations and the Committee on Appropriations of the
18 House of Representatives and to the Committee on For-
19 eign Relations and the Committee on Appropriations of
20 the Senate in accordance with the procedures applicable
21 to reprogramming notifications under section 634A(a) of
22 this Act.

23 “(d) EXCEPTIONS.—Subsection (a) shall not apply
24 with respect to the following:

1 “(1) ASSISTANCE TO MEET BASIC HUMAN
2 HEALTH NEEDS.—The provision of food, water,
3 medicine, sanitation services, or other assistance to
4 directly meet basic human health needs.

5 “(2) OTHER TYPES OF ASSISTANCE.—The pro-
6 vision of any other type of assistance if the Presi-
7 dent—

8 “(A) determines that the provision of such
9 assistance will further the national security in-
10 terests of the United States; and

11 “(B) not less than 25 days prior to the ob-
12 ligation of amounts for the provision of such as-
13 sistance—

14 “(i) consults with the appropriate con-
15 gressional committees regarding the spe-
16 cific programs, projects, and activities to
17 be carried out using such assistance; and

18 “(ii) submits to the appropriate con-
19 gressional committees a written memo-
20 randum that contains the determination of
21 the President under subparagraph (A) and
22 an explanation of how failure to provide
23 the proposed assistance would be incon-
24 sistent with furthering the national secu-
25 rity interests of the United States.

1 “(3) DEFINITION.—In this subsection, the term
2 ‘appropriate congressional committees’ means—

3 “(A) the Committee on International Rela-
4 tions and the Committee on Appropriations of
5 the House of Representatives; and

6 “(B) the Committee on Foreign Relations
7 and the Committee on Appropriations of the
8 Senate.”.

9 (b) OVERSIGHT AND RELATED REQUIREMENTS.—

10 (1) OVERSIGHT.—For each of the fiscal years
11 2007 and 2008, the Secretary of State shall certify
12 to the appropriate congressional committees not
13 later than 30 days prior to the initial obligation of
14 amounts for assistance to nongovernmental organi-
15 zations for the West Bank or Gaza under the For-
16 eign Assistance Act of 1961 that procedures have
17 been established to ensure that the Comptroller Gen-
18 eral of the United States will have access to appro-
19 priate United States financial information in order
20 to review the use of such assistance.

21 (2) VETTING.—Prior to any obligation of
22 amounts for assistance to nongovernmental organi-
23 zations for the West Bank or Gaza under the For-
24 eign Assistance Act of 1961, the Secretary of State
25 shall take all appropriate steps to ensure that such

1 assistance is not provided to or through any indi-
2 vidual or entity that the Secretary knows, or has
3 reason to believe, advocates, plans, sponsors, en-
4 gages in, or has engaged in, terrorist activity. The
5 Secretary shall, as appropriate, establish procedures
6 specifying the steps to be taken in carrying out this
7 paragraph and shall terminate assistance to any in-
8 dividual or entity that the Secretary has determined
9 advocates, plans, sponsors, or engages in terrorist
10 activity.

11 (3) PROHIBITION.—No amounts made available
12 for any fiscal year for assistance to nongovernmental
13 organizations for the West Bank or Gaza under the
14 Foreign Assistance Act of 1961 may be made avail-
15 able for the purpose of recognizing or otherwise hon-
16 oring individuals or the families of individuals who
17 commit, or have committed, acts of terrorism.

18 (4) AUDITS.—

19 (A) IN GENERAL.—The Administrator of
20 the United States Agency for International De-
21 velopment shall ensure that independent audits
22 of all contractors and grantees, and significant
23 subcontractors and subgrantees, that receive
24 amounts for assistance to nongovernmental or-
25 ganizations for the West Bank or Gaza under

1 the Foreign Assistance Act of 1961 are con-
2 ducted to ensure, among other things, compli-
3 ance with this subsection.

4 (B) AUDITS BY INSPECTOR GENERAL OF
5 USAID.—Of the amounts available for any fiscal
6 year for assistance to nongovernmental organi-
7 zations for the West Bank or Gaza under the
8 Foreign Assistance Act of 1961, up to
9 \$1,000,000 for each such fiscal year may be
10 used by the Office of the Inspector General of
11 the United States Agency for International De-
12 velopment for audits, inspections, and other ac-
13 tivities in furtherance of the requirements of
14 subparagraph (A). Such amounts are in addi-
15 tion to amounts otherwise available for such
16 purposes.

17 (c) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that the President should be guided by the principles
19 and procedures described in section 620L of the Foreign
20 Assistance Act of 1961, as added by subsection (a), in pro-
21 viding assistance to nongovernmental organizations for the
22 West Bank and Gaza under any provision of law other
23 than the Foreign Assistance Act of 1961.

24 **SEC. 4. UNITED NATIONS AGENCIES AND PROGRAMS.**

25 (a) REVIEW AND REPORT.—

1 (1) IN GENERAL.—Not later than 60 days after
2 the date of the enactment of this Act, the President
3 shall—

4 (A) conduct an audit of the functions of
5 the entities specified in paragraph (2); and

6 (B) transmit to the appropriate congress-
7 sional committees a report containing rec-
8 ommendations for the elimination of such enti-
9 ties and efforts that are duplicative or fail to
10 ensure balance in the approach of the United
11 Nations to Israeli-Palestinian issues.

12 (2) ENTITIES SPECIFIED.—The entities re-
13 ferred to in paragraph (1) are the following:

14 (A) The United Nations Division for Pales-
15 tinian Rights.

16 (B) The Committee on the Exercise of the
17 Inalienable Rights of the Palestinian People.

18 (C) The United Nations Special Coordi-
19 nator for the Middle East Peace Process and
20 Personal Representative to the Palestine Lib-
21 eration Organization and the Palestinian Au-
22 thority.

23 (D) The NGO Network on the Question of
24 Palestine.

1 (E) The Special Committee to Investigate
2 Israeli Practices Affecting the Human Rights of
3 the Palestinian People and Other Arabs of the
4 Occupied Territories.

5 (F) Any other entity the Secretary deter-
6 mines results in duplicative efforts or funding
7 or fails to ensure balance in the approach to
8 Israeli-Palestinian issues.

9 (b) IMPLEMENTATION OF RECOMMENDATIONS BY
10 PERMANENT REPRESENTATIVE.—

11 (1) IN GENERAL.—The United States Perma-
12 nent Representative to the United Nations shall use
13 the voice, vote, and influence of the United States at
14 the United Nations to seek the implementation of
15 the recommendations contained in the report re-
16 quired under subsection (a)(1)(B).

17 (2) WITHHOLDING OF FUNDS.—Until the
18 President certifies to the Congress that such rec-
19 ommendations have been implemented, the Secretary
20 of State should withhold from United States con-
21 tributions to the regular assessed budget of the
22 United Nations for a biennial period amounts that
23 are proportional to the percentage of such budget
24 that are expended for such entities.

1 (c) GAO AUDIT.—The Comptroller General shall
2 conduct an audit of the status of the implementation of
3 the recommendations contained in the report required
4 under subsection (a)(1)(B).

5 (d) WITHHOLDING OF FUNDS WITH RESPECT TO
6 THE PALESTINIAN AUTHORITY.—

7 (1) ASSESSED CONTRIBUTIONS.—The Secretary
8 of State should withhold from United States con-
9 tributions to the regular assessed budget of the
10 United Nations for a biennial period amounts that
11 are equal to the amounts of such budget that are ex-
12 pended by any United Nations affiliated or special-
13 ized agency for assistance directly to the Palestinian
14 Authority.

15 (2) VOLUNTARY CONTRIBUTIONS.—The Sec-
16 retary of State shall withhold from United States
17 contributions to the voluntary budget of the United
18 Nations for a biennial period amounts that are equal
19 to the amounts of such budget that are expended by
20 any United Nations affiliated or specialized agency
21 for assistance directly to the Palestinian Authority.

22 (3) DEFINITION.—For the purposes of this sec-
23 tion, the term “amounts of such budget that are ex-
24 pended by any United Nations affiliated or special-

1 ized agency for assistance directly to the Palestinian
2 Authority” does not include—

3 (A) amounts expended during any period
4 for which a certification described in section
5 620K(b) of the Foreign Assistance Act of 1961
6 (as added by section 2(b)(2) of this Act) is in
7 effect with respect to the Palestinian Authority;
8 or

9 (B) amounts expended for assistance of
10 the type of assistance described in section
11 104(c), 104A, 104B, or 104C of the Foreign
12 Assistance Act of 1961 (22 U.S.C. 2151b,
13 2151b-2, 2151b-3, or 2151b-4) and which
14 would, if provided by the Government of the
15 United States, be permitted under such sec-
16 tions, or under chapter 4 of part II of such Act
17 (22 U.S.C. 2346 et seq.) to carry out the pur-
18 poses of such sections, by reason of the applica-
19 tion of section 104(c)(4) of such Act.

20 **SEC. 5. DESIGNATION OF TERRITORY CONTROLLED BY THE**
21 **PALESTINIAN AUTHORITY AS TERRORIST**
22 **SANCTUARY.**

23 It is the sense of Congress that, during any period
24 for which a certification described in section 620K(b) of
25 the Foreign Assistance Act of 1961 (as added by section

1 2(b)(2) of this Act) is not in effect with respect to the
2 Palestinian Authority, the territory controlled by the Pal-
3 estinian Authority should be deemed to be in use as a
4 sanctuary for terrorists or terrorist organizations for pur-
5 poses of section 6(j)(5) of the Export Administration Act
6 of 1979 (50 U.S.C. App. 2405(j)(5)) and section 140 of
7 the Foreign Relations Authorization Act, Fiscal Years
8 1988 and 1989 (22 U.S.C. 2656f).

9 **SEC. 6. DENIAL OF VISAS FOR OFFICIALS OF THE PALES-**
10 **TINIAN AUTHORITY.**

11 (a) IN GENERAL.—A visa shall not be issued to any
12 alien who is an official of, affiliated with, or serving as
13 a representative of the Palestinian Authority during any
14 period for which a certification described in section
15 620K(b) of the Foreign Assistance Act of 1961 (as added
16 by section 2(b)(2) of this Act) is not in effect with respect
17 to the Palestinian Authority.

18 (b) WAIVER.—Subsection (a) shall not apply—

19 (1) if the President determines and certifies to
20 the appropriate congressional committees, on a case-
21 by-case basis, that the issuance of a visa to an alien
22 described in such subsection is important to the na-
23 tional security interests of the United States; or

24 (2) with respect to visas issued in connection
25 with United States obligations under the Act of Au-

1 gust 4, 1947 (61 Stat. 756) (commonly known as
2 the “United Nations Headquarters Agreement
3 Act”).

4 **SEC. 7. TRAVEL RESTRICTIONS ON OFFICIALS AND REP-**
5 **RESENTATIVES OF THE PALESTINIAN AU-**
6 **THORITY AND THE PALESTINE LIBERATION**
7 **ORGANIZATION STATIONED AT THE UNITED**
8 **NATIONS IN NEW YORK CITY.**

9 The President shall restrict the travel of officials and
10 representatives of the Palestinian Authority and of the
11 Palestine Liberation Organization who are stationed at
12 the United Nations in New York City to a 25-mile radius
13 of the United Nations headquarters building during any
14 period for which a certification described in section
15 620K(b) of the Foreign Assistance Act of 1961 (as added
16 by section 2(b)(2) of this Act) is not in effect with respect
17 to the Palestinian Authority.

18 **SEC. 8. PROHIBITION ON PALESTINIAN AUTHORITY REP-**
19 **RESENTATION IN THE UNITED STATES.**

20 (a) PROHIBITION.—Notwithstanding any other provi-
21 sion of law, it shall be unlawful to establish or maintain
22 an office, headquarters, premises, or other facilities or es-
23 tablishments within the jurisdiction of the United States
24 at the behest or direction of, or with funds provided by,
25 the Palestinian Authority or the Palestine Liberation Or-

1 ganization during any period for which a certification de-
2 scribed in section 620K(b) of the Foreign Assistance Act
3 of 1961 (as added by section 2(b)(2) of this Act) is not
4 in effect with respect to the Palestinian Authority.

5 (b) ENFORCEMENT.—

6 (1) ATTORNEY GENERAL.—The Attorney Gen-
7 eral shall take the necessary steps and institute the
8 necessary legal action to effectuate the policies and
9 provisions of subsection (a), including steps nec-
10 essary to apply the policies and provisions of sub-
11 section (a) to the Permanent Observer Mission of
12 Palestine to the United Nations.

13 (2) RELIEF.—Any district court of the United
14 States for a district in which a violation of sub-
15 section (a) occurs shall have authority, upon petition
16 of relief by the Attorney General, to grant injunctive
17 and such other equitable relief as it shall deem nec-
18 essary to enforce the provisions of subsection (a).

19 (c) WAIVER.—

20 (1) AUTHORITY.—The President may waive the
21 application of subsection (a) for a period of 180
22 days if the President determines and certifies to the
23 appropriate congressional committees that such
24 waiver—

1 (A) is vital to the national security inter-
2 ests of the United States and provides an expla-
3 nation of how the failure to waive the applica-
4 tion of subsection (a) would be inconsistent
5 with the vital national security interests of the
6 United States; and

7 (B) would further the achievement of the
8 requirements outlined in the certification de-
9 scribed in section 620K(b) of the Foreign As-
10 sistance Act of 1961 (as added by section
11 2(b)(2) of this Act).

12 (2) RENEWAL.—The President may renew the
13 waiver described in paragraph (1) for successive
14 180-day periods if the President makes the deter-
15 mination and certification described in such para-
16 graph for each such period.

17 **SEC. 9. INTERNATIONAL FINANCIAL INSTITUTIONS.**

18 (a) UNITED STATES POLICY.—It shall be the policy
19 of the United States that the United States Executive Di-
20 rector at each international financial institution shall use
21 the voice, vote, and influence of the United States to pro-
22 hibit assistance to the Palestinian Authority unless a cer-
23 tification described in subsection (b) is in effect with re-
24 spect to the Palestinian Authority.

1 (b) CERTIFICATION.—A certification described in this
2 subsection is a certification transmitted by the President
3 to Congress that contains a determination of the President
4 that the requirements of paragraphs (1), (2), and (3)(A),
5 (B), (C), and (E) of section 620K(b) of the Foreign As-
6 sistance Act of 1961 (as added by section 2(b)(2) of this
7 Act) are being met by the Palestinian Authority.

8 (c) DEFINITION.—In this section, the term “inter-
9 national financial institution” has the meaning given the
10 term in section 1701(c)(2) of the International Financial
11 Institutions Act.

12 **SEC. 10. DIPLOMATIC CONTACTS WITH PALESTINIAN TER-**
13 **ROR ORGANIZATIONS.**

14 It shall be the policy of the United States that no
15 officer or employee of the United States Government shall
16 negotiate or have substantive contacts with members or
17 official representatives of Hamas, Palestinian Islamic
18 Jihad, the Popular Front for the Liberation of Palestine,
19 al-Aqsa Martyrs Brigade, or any other Palestinian ter-
20 rorist organization, unless and until such organization—

21 (1) recognizes Israel’s right to exist;

22 (2) renounces the use of terrorism;

23 (3) dismantles the infrastructure necessary to
24 carry out terrorist acts, including the disarming of

1 militias and the elimination of all instruments of ter-
2 ror; and

3 (4) recognizes and accepts all previous agree-
4 ments and understandings between the State of
5 Israel and the Palestine Liberation Organization and
6 the Palestinian Authority.

7 **SEC. 11. DEFINITIONS.**

8 In this Act:

9 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
10 **TEES.**—The term “appropriate congressional com-
11 mittees” means—

12 (A) the Committee on International Rela-
13 tions and the Committee on Appropriations of
14 the House of Representatives; and

15 (B) the Committee on Foreign Relations
16 and the Committee on Appropriations of the
17 Senate.

18 (2) **PALESTINIAN AUTHORITY.**—The term “Pal-
19 estinian Authority” has the meaning given the term

1 in section 620K(e)(2) of the Foreign Assistance Act
2 of 1961 (as added by section 2(b)(2) of this Act).

Passed the House of Representatives May 23, 2006.

Attest:

KAREN L. HAAS,

Clerk.