

Calendar No. 211

115TH CONGRESS
1ST SESSION

S. 1697

To condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens and United States Citizens.

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2017

Mr. GRAHAM (for himself, Mr. MANCHIN, Mr. CORKER, Mr. BLUNT, Mr. COTTON, Mr. KENNEDY, Mr. RISCH, Mr. ROUNDS, Mr. RUBIO, Mr. YOUNG, Mr. CRAPO, Mr. SHELBY, Mr. CRUZ, Mr. SCOTT, Mr. CARDIN, Mr. MENENDEZ, Mr. SCHUMER, Mr. COONS, Mr. NELSON, and Mr. PERDUE) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

SEPTEMBER 6, 2017

Reported by Mr. CORKER, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens and United States Citizens.

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 “Taylor Force Act”.

3 **SEC. 2. FINDINGS.**

4 Congress makes the following findings:

5 (1) The Palestinian Authority’s practice of pay-
6 ing salaries to terrorists serving in Israeli prisons, as
7 well as to the families of deceased terrorists, is an
8 incentive to commit acts of terror.

9 (2) The United States does not provide direct
10 budgetary support to the Palestinian Authority. The
11 United States does pay certain debts held by the
12 Palestinian Authority and fund programs which the
13 Palestinian Authority would otherwise be responsible
14 for.

15 (3) *The United States Government supports com-*
16 *munity-based programs in the West Bank and Gaza*
17 *that provide for basic human needs, such as food,*
18 *water, health, shelter, protection, education and liveli-*
19 *hoods, and that promote peace and development.*

20 (4) *Since fiscal year 2015, annual appropri-*
21 *ations legislation has provided for the reduction of*
22 *Economic Support Fund aid for the Palestinian Au-*
23 *thority “by an amount the Secretary determines is*
24 *equivalent to the amount expended by the Palestinian*
25 *Authority as payments for acts of terrorism by indi-*
26 *viduals who are imprisoned after being fairly tried*

1 *and convicted for acts of terrorism and by individuals*
2 *who died committing acts of terrorism during the pre-*
3 *vious calendar year”.*

4 **SEC. 3. SENSE OF CONGRESS.**

5 Congress—

6 (1) calls on the Palestinian Authority to stop
7 these payments and repeal the laws authorizing
8 them;

9 (2) calls on all donor countries providing budg-
10 etary assistance to the Palestinian Authority to
11 cease direct budgetary support until the Palestinian
12 Authority stops all payments incentivizing terror;

13 (3) supports the creation of a general welfare
14 system, available to all Palestinian citizens within
15 the jurisdictional control of the Palestinian Author-
16 ity;

17 (4) urges the United States Permanent Rep-
18 resentative to the United Nations to use that posi-
19 tion to highlight the issue of Palestinian Authority
20 payments for acts of terrorism and to urge other
21 member nations of the Security Council and the
22 General Assembly to join the United States in call-
23 ing on the Palestinian Authority to end this system
24 immediately; and

1 (5) urges the Department of State to use its bi-
2 lateral and multilateral engagements with all govern-
3 ments and organizations committed to the cause of
4 peace to highlight the issue of Palestinian Authority
5 payments for acts of terrorism and join the United
6 States in calling on the Palestinian Authority to end
7 this system immediately.

8 **SEC. 4. LIMITATION ON ASSISTANCE TO THE WEST BANK**
9 **AND GAZA.**

10 (a) IN GENERAL.—Funds appropriated or otherwise
11 made available for assistance under chapter 4 of part II
12 of the Foreign Assistance Act of 1961 (22 U.S.C. 2346
13 et seq.; relating to Economic Support Fund) and available
14 for assistance for the West Bank and Gaza that directly
15 benefit the Palestinian Authority may only be made avail-
16 able for such purpose if the Secretary of State certifies
17 in writing to the appropriate congressional committees
18 that the Palestinian Authority—

19 (1) is taking credible steps to end acts of vio-
20 lence against Israeli citizens and United States citi-
21 zens that are perpetrated by individuals under its ju-
22 risdictional control, such as the March 2016 attack
23 that killed former United States Army officer Taylor
24 Force, a veteran of the wars in Iraq and Afghani-
25 stan;

1 (2) has terminated payments for acts of ter-
 2 rorism against Israeli citizens and United States
 3 citizens to any individual, after being fairly tried,
 4 who has been imprisoned for such acts of terrorism
 5 and to any individual who died committing such acts
 6 of terrorism, including to a family member of such
 7 individuals; ~~and~~;

8 (3) has revoked any law, decree, regulation, or
 9 document authorizing or implementing a system of
 10 compensation for imprisoned individuals that uses
 11 the sentence or period of incarceration of an indi-
 12 vidual to determine the level of compensation paid;
 13 *and*

14 (4) *is publicly condemning such acts of violence*
 15 *and is taking steps to investigate or is cooperating in*
 16 *investigations of such acts to bring the perpetrators to*
 17 *justice.*

18 (b) EXCEPTION.—The limitation on assistance under
 19 subsection (a) shall not apply to payments made to the
 20 East Jerusalem Hospital Network.

21 (c) RULE OF CONSTRUCTION.—Amounts withheld
 22 pursuant to this section shall be deemed to satisfy any
 23 similar withholding or reduction required under any other
 24 provision of law.

1 **SEC. 5. CONTINUOUS CERTIFICATION.**

2 Funds appropriated or otherwise made available for
3 assistance under chapter 4 of part II of the Foreign As-
4 sistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to
5 Economic Support Fund) and available for assistance for
6 the West Bank and Gaza may only be made available for
7 such purpose if, not later than 180 days after the date
8 of the enactment of this Act, and every 180 days there-
9 after, the Secretary of State certifies in writing to the ap-
10 propriate congressional committees that the Palestinian
11 Authority is taking credible and verifiable steps to end
12 acts of violence against Israeli citizens and United States
13 citizens that are perpetrated by individuals under its juris-
14 dictional control.

15 **SEC. 6. PALESTINIAN AUTHORITY ACCOUNTABILITY FUND.**

16 (a) *ESTABLISHMENT OF FUND.*—*There is established*
17 *in the Treasury a fund to be known as the “Palestinian*
18 *Authority Accountability Fund” (PAAF). The PAAF shall*
19 *consist of funds withheld under sections 4 and 5.*

20 (b) *INVESTMENTS.*—*The Secretary of State shall invest*
21 *funds in the PAAF in an interest-bearing obligation of the*
22 *United States Government, or an obligation that has its*
23 *principal and interest guaranteed by the Government, that*
24 *the Secretary determines has a maturity suitable for the*
25 *Fund.*

1 (c) *USE OF FUNDS.—Funds from the PAAF may be*
 2 *made available upon a certification by the Secretary of*
 3 *State that the Palestinian Authority has met the conditions*
 4 *set forth in section 4(a).*

5 (d) *DISPOSITION OF UNUSED FUNDS.—On the date*
 6 *that is one year after the date of the enactment of this Act,*
 7 *and annually thereafter, all funds that are in the PAAF*
 8 *shall be withdrawn and made available to the Department*
 9 *of State for the purpose of assistance other than that deemed*
 10 *benefitting the Palestinian Authority.*

11 **SEC. 67. ANNUAL REPORT.**

12 (a) *IN GENERAL.—Not later than 180 days after the*
 13 *date of the enactment of this Act, and annually thereafter,*
 14 *the Secretary of State shall submit to the appropriate con-*
 15 *gressional committees a report including at a minimum*
 16 *the following elements:*

17 (1) *An estimate of the amount expended by the*
 18 *Palestinian Authority during the previous calendar*
 19 *year as payments for acts of terrorism by individuals*
 20 *who are imprisoned for such acts.*

21 (2) *An estimate of the amount expended by the*
 22 *Palestinian Authority during the previous calendar*
 23 *year as payments to the families of deceased individ-*
 24 *uals who committed an act of terrorism.*

1 (3) An overview of Palestinian laws, decrees,
2 regulations, or documents in effect the previous cal-
3 endar year that authorize or implement any pay-
4 ments reported under paragraphs (1) and (2).

5 (4) A description of United States Government
6 policy, efforts, and engagement with the Palestinian
7 Authority in order to confirm the revocation of any
8 law, decree, regulation, or document in effect the
9 previous calendar year that authorizes or implements
10 any payments reported under paragraphs (1) and
11 (2).

12 (5) A description of United States Government
13 policy, efforts, and engagement with other govern-
14 ments, and at the United Nations, to highlight the
15 issue of Palestinian payments for acts of terrorism
16 and to urge other nations to join the United States
17 in calling on the Palestinian Authority to end this
18 system immediately.

19 (b) FORM OF REPORT.—The report required by sub-
20 section (a) shall be submitted in unclassified form but may
21 include a classified annex.

22 **SEC. 78. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
23 **FINED.**

24 In this Act, the term “appropriate congressional com-
25 mittees” means—

- 1 (1) the Committee on Appropriations and the
- 2 Committee on Foreign Relations of the Senate; and
- 3 (2) the Committee on Appropriations and the
- 4 Committee on Foreign Affairs of the House of Rep-
- 5 resentatives.

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