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115TH CONGRESS
1ST SESSION

H. R. 1164

IN THE SENATE OF THE UNITED STATES

DECEMBER 6, 2017

Received

DECEMBER 7, 2017

Read twice and placed on the calendar

AN ACT

To condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli 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 funds programs for which
13 the Palestinian Authority would otherwise be respon-
14 sible.

15 (3) The United States Government supports
16 community-based programs in the West Bank and
17 Gaza that provide for basic human needs, such as
18 food, water, health, shelter, protection, education,
19 and livelihoods, and that promote peace and develop-
20 ment.

21 (4) Since fiscal year 2015, annual appropria-
22 tions legislation has mandated the reduction of Eco-
23 nomic Support Fund aid for the Palestinian Author-
24 ity as a result of their payments for acts of ter-
25 rorism including, in fiscal year 2017, a reduction
26 “by an amount the Secretary determines is equiva-

1 lent to the amount expended by the Palestinian Au-
2 thority, the Palestine Liberation Organization, and
3 any successor or affiliated organizations with such
4 entities as payments for acts of terrorism by individ-
5 uals who are imprisoned after being fairly tried and
6 convicted for acts of terrorism and by individuals
7 who died committing acts of terrorism during the
8 previous calendar year”.

9 **SEC. 3. SENSE OF CONGRESS.**

10 Congress—

11 (1) calls on the Palestinian Authority, the Pal-
12 estine Liberation Organization, and any successor or
13 affiliated organizations to stop payments for acts of
14 terrorism by individuals who are imprisoned after
15 being fairly tried and convicted for acts of terrorism
16 and by individuals who died committing acts of ter-
17 rorism and to repeal the laws authorizing such pay-
18 ments;

19 (2) calls on all donor countries providing budg-
20 etary assistance to the Palestinian Authority to
21 cease direct budgetary support until the Palestinian
22 Authority stops all payments incentivizing terror;

23 (3) urges the Palestinian Authority to develop
24 programs to provide essential public services and
25 support to any individual in need within its jurisdic-

1 tional control, rather than to provide payments con-
2 tingent on perpetrating acts of violence;

3 (4) urges the United States Permanent Rep-
4 resentative to the United Nations to use the voice,
5 vote, and influence of the United States at the
6 United Nations to highlight the issue of Palestinian
7 Authority payments for acts of terrorism and to
8 urge other Member States to apply pressure upon
9 the Palestinian Authority to immediately cease such
10 payments; and

11 (5) urges the Department of State to use its bi-
12 lateral and multilateral engagements with all govern-
13 ments and organizations committed to the cause of
14 peace between Israel and the Palestinians to high-
15 light the issue of Palestinian Authority payments for
16 acts of terrorism and to urge such governments and
17 organizations to join the United States in calling on
18 the Palestinian Authority to immediately cease such
19 payments.

20 **SEC. 4. LIMITATION ON ASSISTANCE TO THE WEST BANK**
21 **AND GAZA.**

22 (a) LIMITATION.—

23 (1) IN GENERAL.—For fiscal year 2018 and
24 each of the five subsequent fiscal years, funds au-
25 thorized to be appropriated or otherwise made avail-

1 able for assistance under chapter 4 of part II of the
2 Foreign Assistance Act of 1961 (22 U.S.C. 2346 et
3 seq.; relating to Economic Support Fund) and avail-
4 able for assistance for the West Bank and Gaza that
5 directly benefits the Palestinian Authority may only
6 be made available for such purpose if, except as pro-
7 vided in subsection (d), not later than 30 days after
8 the date of the enactment of this Act, and every 180
9 days thereafter, the Secretary of State certifies in
10 writing to the appropriate congressional committees
11 that the Palestinian Authority, the Palestine Libera-
12 tion Organization, and any successor or affiliated or-
13 ganizations—

14 (A) are taking credible steps to end acts of
15 violence against Israeli citizens and United
16 States citizens that are perpetrated or materi-
17 ally assisted by individuals under their jurisdic-
18 tional control, such as the March 2016 attack
19 that killed former United States Army officer
20 Taylor Force, a veteran of the wars in Iraq and
21 Afghanistan;

22 (B) have terminated payments for acts of
23 terrorism against Israeli citizens and United
24 States citizens to any individual, after being
25 fairly tried, who has been imprisoned for such

1 acts of terrorism and to any individual who died
2 committing such acts of terrorism, including to
3 a family member of such individuals;

4 (C) have revoked any law, decree, regula-
5 tion, or document authorizing or implementing
6 a system of compensation for imprisoned indi-
7 viduals that uses the sentence or period of in-
8 carceration of an individual imprisoned for an
9 act of terrorism to determine the level of com-
10 pensation paid, or have taken comparable ac-
11 tion that has the effect of invalidating any such
12 law, decree, regulation, or document; and

13 (D) are publicly condemning such acts of
14 violence and are taking steps to investigate or
15 are cooperating in investigations of such acts to
16 bring the perpetrators to justice.

17 (2) **ADDITIONAL CERTIFICATION REQUIRE-**
18 **MENT.**—The Secretary of State shall include in the
19 certification required under paragraph (1) the defi-
20 nition of “acts of terrorism” that the Secretary used
21 for purposes of making the determination in sub-
22 paragraph (B) of such paragraph.

23 (b) **EXCEPTION.**—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 the limitation on assistance under subsection (a)
3 shall not apply to—

4 (A) payments made to the East Jerusalem
5 Hospital Network;

6 (B) assistance for wastewater projects; and

7 (C) assistance for any other program,
8 project, or activity that provides vaccinations to
9 children.

10 (2) NOTIFICATION.—The Secretary of State
11 shall notify in writing the appropriate congressional
12 committees not later than 15 days prior to making
13 funds available for assistance under subparagraph
14 (A), (B), or (C) of paragraph (1).

15 (c) RULE OF CONSTRUCTION.—Funds withheld pur-
16 suant to this section—

17 (1) shall be deemed to satisfy any similar with-
18 holding or reduction required under any other provi-
19 sion of law relating to the Palestinian Authority’s
20 payments for acts of terrorism; and

21 (2) shall be in an amount that is not less than
22 the total amount required by such other provision of
23 law.

24 (d) INITIAL USE AND DISPOSITION OF WITHHELD
25 FUNDS.—

1 (1) PERIOD OF AVAILABILITY.—Funds withheld
2 pursuant to this section are authorized to remain
3 available for an additional 2 years from the date on
4 which the availability of such funds would otherwise
5 have expired.

6 (2) USE OF FUNDS.—Funds withheld pursuant
7 to this section may be made available for assistance
8 for the West Bank and Gaza that directly benefits
9 the Palestinian Authority upon a certification by the
10 Secretary of State that the Palestinian Authority,
11 the Palestine Liberation Organization, and any suc-
12 cessor or affiliated organizations have met the condi-
13 tions set forth in subsection (a). Except as provided
14 in paragraph (3), such funds may not be made avail-
15 able for any purpose other than for assistance for
16 the West Bank and Gaza that directly benefits the
17 Palestinian Authority.

18 (3) DISPOSITION OF UNUSED FUNDS.—Begin-
19 ning on the date that is 180 days after the last day
20 on which the initial availability of funds withheld
21 pursuant to this section would otherwise have ex-
22 pired, such funds are authorized to be made avail-
23 able to the Department of State for assistance under
24 chapter 4 of part II of the Foreign Assistance Act
25 of 1961 (22 U.S.C.2346 et seq.; relating to Eco-

1 nomic Support Fund) for purposes other than assist-
2 ance for the West Bank and Gaza.

3 (e) REPORT.—

4 (1) IN GENERAL.—If the Secretary of State is
5 unable to certify in writing to the appropriate con-
6 gressional committees that the Palestinian Author-
7 ity, the Palestine Liberation Organization, and any
8 successor or affiliated organizations have met the
9 conditions described in subsection (a), the Secretary
10 shall, not later than 15 days after the date on which
11 the Secretary is unable to make such certification,
12 submit to the appropriate congressional committees
13 a report that contains the following:

14 (A) The reasons why the Secretary was
15 unable to certify in writing that such organiza-
16 tions have met such requirements.

17 (B) The definition of “acts of terrorism”
18 that the Secretary used for purposes of making
19 the determination in subparagraph (B) of sub-
20 section (a)(1).

21 (C) The total amount of funds to be with-
22 held.

23 (2) FORM.—The report required by this sub-
24 section shall be submitted in unclassified form but
25 may include a classified annex.

1 (f) LIST OF CRITERIA.—

2 (1) IN GENERAL.—Not later than 15 days after
3 the date of the enactment of this Act, the Secretary
4 of State shall submit to the appropriate congress-
5 sional committees a list of the criteria that the Sec-
6 retary uses to determine whether assistance for the
7 West Bank and Gaza is assistance that directly ben-
8 efits the Palestinian Authority for purposes of car-
9 rying out this section.

10 (2) UPDATE.—The Secretary of State shall
11 submit to the appropriate congressional committees
12 an updated list under paragraph (1) not later than
13 15 days after the date on which the Secretary makes
14 any modification to the list.

15 **SEC. 5. INITIAL REPORT.**

16 (a) IN GENERAL.—Not later than 60 days after the
17 date of the enactment of this Act, the Secretary of State
18 shall submit to the appropriate congressional committees
19 a report describing those programs, projects, and activities
20 funded by the United States Government that have been
21 or will be suspended by reason of withholding of funds
22 under section 4.

23 (b) FORM.—The report required by subsection (a)
24 shall be submitted in unclassified form but may include
25 a classified annex.

1 **SEC. 6. ANNUAL REPORT.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of the enactment of this Act, and annually thereafter
4 for 6 years, the Secretary of State shall submit to the ap-
5 propriate congressional committees a report including at
6 a minimum the following elements:

7 (1) An estimate of the amount expended by the
8 Palestinian Authority, the Palestine Liberation Or-
9 ganization, and any successor or affiliated organiza-
10 tions during the previous calendar year as payments
11 for acts of terrorism by individuals who are impris-
12 oned for such acts.

13 (2) An estimate of the amount expended by the
14 Palestinian Authority, the Palestine Liberation Or-
15 ganization, and any successor or affiliated organiza-
16 tions during the previous calendar year as payments
17 to the families of deceased individuals who com-
18 mitted an act of terrorism.

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

23 (4) A description of United States Government
24 policy, efforts, and engagement with the Palestinian
25 Authority in order to confirm the revocation of any
26 law, decree, regulation, or document in effect the

1 previous calendar year that authorizes or implements
2 any payments reported under paragraphs (1) and
3 (2).

4 (5) A description of United States Government
5 policy, efforts, and engagement with other govern-
6 ments, and at the United Nations, to highlight the
7 issue of Palestinian payments for acts of terrorism
8 and to urge other nations to join the United States
9 in calling on the Palestinian Authority to imme-
10 diately cease such payments.

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

14 **SEC. 7. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
15 **FINED.**

16 In this Act, the term “appropriate congressional com-
17 mittees” means—

18 (1) the Committee on Appropriations and the
19 Committee on Foreign Affairs of the House of Rep-
20 resentatives; and

1 (2) the Committee on Appropriations and the
2 Committee on Foreign Relations of the Senate.

 Passed the House of Representatives December 5,
2017.

Attest:

KAREN L. HAAS,

Clerk.

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