

[117H4721]



(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

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 HOUSE OF REPRESENTATIVES

Mr. ROY introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

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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”.

6 **SEC. 2. STATEMENT OF POLICY.**

7 (a) **PALESTINIAN REFUGEE DEFINED.**—It shall be  
8 the policy of the United States, in matters concerning the

1 United Nations Relief and Works Agency for Palestine  
2 Refugees in the Near East (referred to in this Act as  
3 “UNRWA”), which operates in Syria, Lebanon, Jordan,  
4 the Gaza Strip, and the West Bank, to define a Pales-  
5 tinian refugee as a person who—

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

9 (2) was personally displaced as a result of the  
10 1948 Arab-Israeli conflict; and

11 (3) has not accepted an offer of legal residency  
12 status, citizenship, or other permanent adjustment  
13 in status in another country or territory.

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

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

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

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

4           Section 301(c) of the Foreign Assistance Act of 1961  
5 (22 U.S.C. 2221) is amended to read as follows:

6           “(c) WITHHOLDING.—

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

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

10                   “(i) has the meaning adopted on May  
11                   26, 2016, by the International Holocaust  
12                   Remembrance Alliance as the non-legally  
13                   binding working definition of antisemitism;  
14                   and

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

21           “(B) APPROPRIATE CONGRESSIONAL COM-  
22           MITTEES.—The term ‘appropriate congressional  
23           committees’ means—

24                   “(i) the Committee on Foreign Rela-  
25                   tions of the Senate;

1                   “(ii) the Committee on Appropriations  
2                   of the Senate;

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

5                   “(iv) the Committee on Appropria-  
6                   tions of the House of Representatives.

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

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

20                  “(E) UNRWA.—The term ‘UNRWA’  
21                  means the United Nations Relief and Works  
22                  Agency for Palestine Refugees in the Near  
23                  East.

24                  “(2) CERTIFICATION.—Notwithstanding any  
25                  other provision of law, the United States may not

1 provide contributions to UNRWA, to any successor  
2 or related entity, or to the regular budget of the  
3 United Nations for the support of UNRWA or a  
4 successor entity (through staff positions provided by  
5 the United Nations Secretariat or otherwise) unless  
6 the Secretary of State submits a written certification  
7 to the appropriate congressional committees that—

8 “(A) no official, employee, consultant, con-  
9 tractor, subcontractor, representative, affiliate  
10 of UNRWA, an UNRWA partner organization,  
11 or an UNRWA contracting entity pursuant to  
12 completion of a thorough vetting and back-  
13 ground check process—

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

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

19 “(iii) has propagated or disseminated  
20 anti-American, anti-Israel, or anti-Semitic  
21 rhetoric, incitement, or propaganda, in-  
22 cluding—

23 “(I) calling for or encouraging  
24 the destruction of Israel;

1 “(II) failing to recognize Israel’s  
2 right to exist;

3 “(III) showing maps without  
4 Israel;

5 “(IV) describing Israelis as ‘occu-  
6 piers’ or ‘settlers’;

7 “(V) advocating, endorsing, or  
8 expressing support for violence, ha-  
9 tred, jihad, martyrdom, or terrorism,  
10 glorifying, honoring, or otherwise me-  
11 memorializing any person or group that  
12 has advocated, sponsored, or com-  
13 mitted acts of terrorism, or providing  
14 material support to terrorists or their  
15 families;

16 “(VI) expressing support for boy-  
17 cott of, divestment from, and sanc-  
18 tions against Israel (commonly re-  
19 ferred to as ‘BDS’);

20 “(VII) claiming or advocating for  
21 a ‘right of return’ of refugees into  
22 Israel;

23 “(VIII) ignoring, denying, or not  
24 recognizing the historic connection of

1 the Jewish people to the land of  
2 Israel; and

3 “(IX) calling for violence against  
4 Americans; or

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

13 “(B) no UNRWA school, hospital, clinic,  
14 facility, or other infrastructure or resource is  
15 being used by a foreign terrorist organization or  
16 any member thereof—

17 “(i) for terrorist activities, such as op-  
18 erations, planning, training, recruitment,  
19 fundraising, indoctrination, communica-  
20 tions, sanctuary, storage of weapons or  
21 other materials; or

22 “(ii) as an access point to any under-  
23 ground tunnel network, or any other ter-  
24 rorist-related purposes;

1           “(C) UNRWA is subject to comprehensive  
2 financial audits by an internationally recognized  
3 third party independent auditing firm that—

4                   “(i) is agreed upon by the Govern-  
5 ment of Israel and the Palestinian Author-  
6 ity; and

7                   “(ii) has implemented an effective sys-  
8 tem of vetting and oversight to prevent the  
9 use, receipt, or diversion of any UNRWA  
10 resources by any foreign terrorist organiza-  
11 tion or members thereof;

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

21           “(E) no recipient of UNRWA funds or  
22 loans is—

23                   “(i) a member of, is affiliated with, or  
24 has any ties to a foreign terrorist organiza-  
25 tion; or



1                   “(ii) otherwise engaged in terrorist ac-  
2                   tivities; and

3                   “(F) UNRWA holds no accounts or other  
4                   affiliations with financial institutions that the  
5                   United States considers or believes to be  
6                   complicit in money laundering and terror fi-  
7                   nancing.

8                   “(3) PERIOD OF EFFECTIVENESS.—

9                   “(A) IN GENERAL.—A certification de-  
10                  scribed in paragraph (2) shall be effective until  
11                  the earlier of—

12                  “(i) the date on which the Secretary  
13                  receives information rendering the certifi-  
14                  cation described in paragraph (2) factually  
15                  inaccurate; or

16                  “(ii) the date that is 180 days after  
17                  the date on which it is submitted to the  
18                  appropriate congressional committees.

19                  “(B) NOTIFICATION OF RENUNCIATION.—  
20                  If a certification becomes ineffective pursuant  
21                  to subparagraph (A), the Secretary shall  
22                  promptly notify the appropriate congressional  
23                  committees of the reasons for renouncing or  
24                  failing to renew such certification.

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

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

8                   “(B) is greater (as a proportion of the  
9                   total UNRWA budget) than the proportion of  
10                  the total budget for the United Nations High  
11                  Commissioner for Refugees paid by the United  
12                  States.”.

13 **SEC. 4. REPORT.**

14           (a) APPROPRIATE CONGRESSIONAL COMMITTEES  
15 **DEFINED.**—In this section, the term “appropriate con-  
16 gressional committees” means—

17                   (1) the Committee on Foreign Relations of the  
18                   Senate;

19                   (2) the Committee on Appropriations of the  
20                   Senate;

21                   (3) the Committee on Foreign Affairs of the  
22                   House of Representatives; and

23                   (4) the Committee on Appropriations of the  
24                   House of Representatives.

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

6 (1) encouraging other countries to adopt the  
7 policy regarding Palestinian refugees that is de-  
8 scribed in section 2;

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

19 (3) working with other countries to phase out  
20 UNRWA and assist Palestinians receiving UNRWA  
21 services by—

22 (A) integrating such Palestinians into their  
23 local communities in the countries in which they  
24 are residing; or

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

5 (4) ensuring that the actions described in para-  
6 graph (3)—

7 (A) are being implemented in complete co-  
8 ordination with, and with the support of, Israel;  
9 and

10 (B) do not endanger the security of Israel  
11 in any way.