

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1164
OFFERED BY MR. ROYCE OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

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,

1 and livelihoods, and that promote peace and develop-
2 ment.

3 (4) Since fiscal year 2015, annual appropria-
4 tions legislation has mandated the reduction of Eco-
5 nomic Support Fund aid for the Palestinian Author-
6 ity as a result of their payments for acts of ter-
7 rorism including, in fiscal year 2017, a reduction
8 “by an amount the Secretary determines is equiva-
9 lent to the amount expended by the Palestinian Au-
10 thority, the Palestine Liberation Organization, and
11 any successor or affiliated organizations with such
12 entities as payments for acts of terrorism by individ-
13 uals who are imprisoned after being fairly tried and
14 convicted for acts of terrorism and by individuals
15 who died committing acts of terrorism during the
16 previous calendar year”.

17 **SEC. 3. SENSE OF CONGRESS.**

18 Congress—

19 (1) calls on the Palestinian Authority, the Pal-
20 estine Liberation Organization, and any successor or
21 affiliated organizations to stop payments for acts of
22 terrorism by individuals who are imprisoned after
23 being fairly tried and convicted for acts of terrorism
24 and by individuals who died committing acts of ter-

1 rorism and to repeal the laws authorizing such pay-
2 ments;

3 (2) calls on all donor countries providing budg-
4 etary assistance to the Palestinian Authority to
5 cease direct budgetary support until the Palestinian
6 Authority stops all payments incentivizing terror;

7 (3) urges the Palestinian Authority to develop
8 programs to provide essential public services and
9 support to any individual in need within its jurisdic-
10 tional control, rather than to provide payments con-
11 tingent on perpetrating acts of violence;

12 (4) urges the United States Permanent Rep-
13 resentative to the United Nations to use the voice,
14 vote, and influence of the United States at the
15 United Nations to highlight the issue of Palestinian
16 Authority payments for acts of terrorism and to
17 urge other Member States to apply pressure upon
18 the Palestinian Authority to immediately cease such
19 payments; and

20 (5) urges the Department of State to use its bi-
21 lateral and multilateral engagements with all govern-
22 ments and organizations committed to the cause of
23 peace between Israel and the Palestinians to high-
24 light the issue of Palestinian Authority payments for
25 acts of terrorism and to urge such governments and

1 organizations to join the United States in calling on
2 the Palestinian Authority to immediately cease such
3 payments.

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

6 (a) LIMITATION.—

7 (1) IN GENERAL.—For fiscal year 2018 and
8 each of the five subsequent fiscal years, funds au-
9 thorized to be appropriated or otherwise made avail-
10 able for assistance under chapter 4 of part II of the
11 Foreign Assistance Act of 1961 (22 U.S.C. 2346 et
12 seq.; relating to Economic Support Fund) and avail-
13 able for assistance for the West Bank and Gaza that
14 directly benefits the Palestinian Authority may only
15 be made available for such purpose if, except as pro-
16 vided in subsection (d), not later than 30 days after
17 the date of the enactment of this Act, and every 180
18 days thereafter, the Secretary of State certifies in
19 writing to the appropriate congressional committees
20 that the Palestinian Authority, the Palestine Libera-
21 tion Organization, and any successor or affiliated or-
22 ganizations—

23 (A) are taking credible steps to end acts of
24 violence against Israeli citizens and United
25 States citizens that are perpetrated or materi-

1 ally assisted by individuals under their jurisdic-
2 tional control, such as the March 2016 attack
3 that killed former United States Army officer
4 Taylor Force, a veteran of the wars in Iraq and
5 Afghanistan;

6 (B) have terminated payments for acts of
7 terrorism against Israeli citizens and United
8 States citizens to any individual, after being
9 fairly tried, who has been imprisoned for such
10 acts of terrorism and to any individual who died
11 committing such acts of terrorism, including to
12 a family member of such individuals;

13 (C) have revoked any law, decree, regula-
14 tion, or document authorizing or implementing
15 a system of compensation for imprisoned indi-
16 viduals that uses the sentence or period of in-
17 carceration of an individual imprisoned for an
18 act of terrorism to determine the level of com-
19 pensation paid, or have taken comparable ac-
20 tion that has the effect of invalidating any such
21 law, decree, regulation, or document; and

22 (D) are publicly condemning such acts of
23 violence and are taking steps to investigate or
24 are cooperating in investigations of such acts to
25 bring the perpetrators to justice.

1 (2) ADDITIONAL CERTIFICATION REQUIRE-
2 MENT.—The Secretary of State shall include in the
3 certification required under paragraph (1) the defi-
4 nition of “acts of terrorism” that the Secretary used
5 for purposes of making the determination in sub-
6 paragraph (B) of such paragraph.

7 (b) EXCEPTION.—

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

11 (A) payments made to the East Jerusalem
12 Hospital Network; and

13 (B) assistance for wastewater projects.

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

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

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

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

4 (d) INITIAL USE AND DISPOSITION OF WITHHELD
5 FUNDS.—

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

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

23 (3) DISPOSITION OF UNUSED FUNDS.—Begin-
24 ning on the date that is 180 days after the last day
25 on which the initial availability of funds withheld

1 pursuant to this section would otherwise have ex-
2 pired, such funds are authorized to be made avail-
3 able to the Department of State for assistance under
4 chapter 4 of part II of the Foreign Assistance Act
5 of 1961 (22 U.S.C.2346 et seq.; relating to Eco-
6 nomic Support Fund) for purposes other than assist-
7 ance for the West Bank and Gaza.

8 (e) REPORT.—

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

19 (A) The reasons why the Secretary was
20 unable to certify in writing that such organiza-
21 tions have met such requirements.

22 (B) The definition of “acts of terrorism”
23 that the Secretary used for purposes of making
24 the determination in subparagraph (B) of sub-
25 section (a)(1).

1 (C) The total amount of funds to be with-
2 held.

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

6 (f) LIST OF CRITERIA.—

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

15 (2) UPDATE.—The Secretary of State shall
16 submit to the appropriate congressional committees
17 an updated list under paragraph (1) not later than
18 15 days after the date on which the Secretary makes
19 any modification to the list.

20 **SEC. 5. ANNUAL REPORT.**

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

1 (1) An estimate of the amount expended by the
2 Palestinian Authority, the Palestine Liberation Or-
3 ganization, and any successor or affiliated organiza-
4 tions during the previous calendar year as payments
5 for acts of terrorism by individuals who are impris-
6 oned for such acts.

7 (2) 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 to the families of deceased individuals who com-
12 mitted an act of terrorism.

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

17 (4) A description of United States Government
18 policy, efforts, and engagement with the Palestinian
19 Authority in order to confirm the revocation of any
20 law, decree, regulation, or document in effect the
21 previous calendar year that authorizes or implements
22 any payments reported under paragraphs (1) and
23 (2).

24 (5) A description of United States Government
25 policy, efforts, and engagement with other govern-

1 ments, and at the United Nations, to highlight the
2 issue of Palestinian payments for acts of terrorism
3 and to urge other nations to join the United States
4 in calling on the Palestinian Authority to imme-
5 diately cease such payments.

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

9 **SEC. 6. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
10 **FINED.**

11 In this Act, the term “appropriate congressional com-
12 mittees” means—

13 (1) the Committee on Appropriations and the
14 Committee on Foreign Affairs of the House of Rep-
15 resentatives; and

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

