

AMENDMENT TO H.R. 5300
OFFERED BY MS. JACOBS OF CALIFORNIA

At the appropriate place in title VI, insert the following:

1 SEC. 6 _____. GAZA HUMANITARIAN FOUNDATION REPORT.

2 (a) REPORT REQUIRED.—Not later than 180 days
3 after the date of enactment of this Act, the President shall
4 transmit to the appropriate congressional committees a re-
5 port that contains—

6 (1) a full accounting of assistance provided to
7 fund the Gaza Humanitarian Foundation, includ-
8 ing—

9 (A) a description of activities funded, by
10 program, project, or activity, including scopes
11 of work agreed by the United States Govern-
12 ment and the Gaza Humanitarian Foundation;
13 and

14 (B) an accounting of assistance provided,
15 by Treasury Appropriation Fund Symbol, obli-
16 gation date, amount obligated, and activities
17 agreed to under such obligation, as appropriate;

18 (2) a description of due diligence, government
19 assessments, and contractual provisions utilized by

1 the United States Government to ensure the Gaza
2 Humanitarian Foundation's adherence to relevant
3 United States legal, regulatory, budgetary, and tech-
4 nical standards as it relates to operational and fi-
5 nancial practices, including—

6 (A) relevant provisions related to protec-
7 tion of internationally recognized human rights,
8 limitations on assistance under section 620M of
9 the Foreign Assistance Act of 1961 (22 U.S.C.
10 2378d);

11 (B) steps taken to conduct partner vetting
12 of the Gaza Humanitarian Foundation, con-
13 sistent with section 701 of title 2, Code of Fed-
14 eral Regulations;

15 (C) provisions related to reducing the risk
16 of implementer employees' engagement in traf-
17 ficking in persons, equal participation by faith-
18 based organizations, and ensuring of a drug-
19 free workplace;

20 (D) provisions and steps taken to validate
21 implementer past performance and corporate
22 capabilities, including any provisions detailing
23 procedures to check implementer partners and
24 employees' exclusion status in the System for
25 Award Management;

1 (E) rules of engagement or any authoriza-
2 tions and legal protections, such as indemnifica-
3 tion and hold harmless clauses, related to use
4 of force with respect to the people of Gaza or
5 the Israel Defense Forces; and

6 (F) provisions related to effective steward-
7 ship of taxpayer resources, including compliance
8 with Federal acquisition regulations and proper
9 accounting of United States assistance;

10 (3) a description of any legal requirements that
11 are incorporated in current and recent implementer
12 awards to deliver humanitarian assistance in Gaza
13 that were waived or otherwise omitted from require-
14 ments of any awards to the Gaza Humanitarian
15 Foundation, including a declaration and justification
16 for their waiver or omission or, absent such justifica-
17 tion, certification that Secretary will take steps to
18 add such requirements through amendment to exist-
19 ing awards;

20 (4) an assessment of the Gaza Humanitarian
21 Foundation's compliance to date with any contrac-
22 tual provisions relating to such standards;

23 (5) an assessment of the Gaza Humanitarian
24 Foundation's operations to date, including—

1 (A) contractor performance assessment
2 ratings in draft or final form; and

3 (B) the current legal status of the Gaza
4 Humanitarian Foundation's workforce and
5 partners, such as independent contractors, with
6 respect to jurisdictions to which the Gaza Hu-
7 manitarian Foundation's operations are subject;

8 (6) pending and anticipated further award of
9 funds to the Gaza Humanitarian Foundation;

10 (7) any services or competencies historically
11 provided with United States assistance in Gaza and
12 in humanitarian response efforts globally that are
13 currently not achievable by the Gaza Humanitarian
14 Foundation and other active implementers of United
15 States humanitarian assistance in Gaza; and

16 (8) any other information related to meeting
17 humanitarian needs in Gaza, and any current con-
18 straints on such efforts.

19 (b) DEFINITIONS.—In this section:

20 (1) APPROPRIATE CONGRESSIONAL COMMIT-
21 TEES.—The term “appropriate congressional com-
22 mittees” means—

23 (A) the Committee on Appropriations and
24 the Committee on Foreign Affairs of the House
25 of Representatives; and

1 (B) the Committee on Appropriations and
2 the Committee on Foreign Relations of the Sen-
3 ate.

4 (2) GAZA HUMANITARIAN FOUNDATION.—The
5 term “Gaza Humanitarian Foundation” means—

6 (A) the Gaza Humanitarian Foundation;

7 (B) any organization that is associated
8 with, affiliated with, or a successor to the Gaza
9 Humanitarian Foundation, including UG Solu-
10 tions and Safe Reach Solutions;

11 (C) the principal officers of the Gaza Hu-
12 manitarian Foundation; and

13 (D) any entities with which such principal
14 officers are primarily associated.

