

114TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend the Anti-Terrorism Act of 1987 with respect to certain prohibitions regarding the Palestine Liberation Organization under that Act.

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IN THE SENATE OF THE UNITED STATES

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Mr. CRUZ introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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## **A BILL**

To amend the Anti-Terrorism Act of 1987 with respect to certain prohibitions regarding the Palestine Liberation Organization under that Act.

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 The Act may be cited as the “PLO Accountability  
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The Palestine Liberation Organization  
9 (PLO) Mission office, representing the PLO, and by  
10 extension, the Palestinian Authority, in Washington,

1 D.C., was opened in 1994 in order to implement the  
2 Oslo Accords, which initiated direct negotiations be-  
3 tween the PLO and the Government of Israel.

4 (2) Section 1003 of the Anti-Terrorism Act of  
5 1987 (Public Law 100–204; 22 U.S.C. 5202),  
6 makes it unlawful to “establish or maintain an of-  
7 fice, headquarters, premises, or other facilities or es-  
8 tablishments within the jurisdiction of the United  
9 States at the behest or direction of, or with funds  
10 provided by the Palestine Liberation Organization or  
11 any of its constituent groups, any successor to any  
12 of those, or any agents thereof”.

13 (3) Using various authorities, the Executive  
14 branch has waived the provisions of section 1003 of  
15 the Anti-Terrorism Act of 1987.

16 (4) Article XXXI, clause 7, of the Israeli-Pales-  
17 tinian Interim Agreement on the Status of the West  
18 Bank and the Gaza Strip (September 28, 1995)  
19 states that “Neither side shall initiate or take any  
20 step that will change the status of the West Bank  
21 and the Gaza Strip pending the outcome of the per-  
22 manent status negotiations”.

23 (5) In January 2009, the PLO sent a declara-  
24 tion to the International Criminal Court under Arti-  
25 cle 12(3) of the Rome Statute of the International

1 Criminal Court on behalf of the Palestinian Author-  
2 ity.

3 (6) On October 31, 2011, the United Nations  
4 Educational, Scientific and Cultural Organization  
5 (UNESCO) voted to admit the “State of Palestine”  
6 as its 195th full member. Since being admitted, the  
7 Palestinians have used UNESCO to pass anti-Israel  
8 rulings, including a recent proposal to have the  
9 Western Wall classified as part of the Aqsa com-  
10 pound.

11 (7) On November 29, 2012, the United Nations  
12 General Assembly voted to accord the “State of Pal-  
13 estine” status as a non-member observer State at  
14 the United Nations.

15 (8) On April 2, 2014, the PLO joined the Gene-  
16 va Conventions as well as 13 other organizations.

17 (9) On January 2, 2015, the PLO acceded to  
18 the Rome Statute, and on January 16, 2015, the  
19 Prosecutor of the International Criminal Court  
20 opened a “preliminary examination of the situation  
21 in Palestine” after accepting jurisdiction of the  
22 International Criminal Court “over alleged crimes  
23 committed ‘in the occupied Palestinian territory, in-  
24 cluding East Jerusalem, since June 13, 2014’.

1           (10) The PLO's decision to accede to the Rome  
2 Statute as well as several international organizations  
3 is an attempt to change the status of the West Bank  
4 and the Gaza Strip outside of direct negotiations be-  
5 tween the Israelis and Palestinians.

6           (11) On January 7, 2015, the Department of  
7 State's Office of the Spokesperson stated, "we have  
8 made clear our opposition to Palestinian action in  
9 seeking to join the Rome Statute of the Inter-  
10 national Criminal Court. This step is counter-pro-  
11 ductive, will damage the atmosphere with the very  
12 people with whom Palestinians ultimately need to  
13 make peace, and will do nothing to further the aspi-  
14 rations of the Palestinian people for a sovereign and  
15 independent state."

16           (12) On February 23, 2015, a jury in a New  
17 York Federal court found the PLO and the Pales-  
18 tinian Authority liable for six terrorist attacks in  
19 Israel between 2002 and 2004 that killed 33 people  
20 and injured more than 450 others, including United  
21 States citizens among the victims.

22           (13) The Federal jury ordered the PLO and the  
23 Palestinian Authority, both of which are headed by  
24 Mahmoud Abbas, to pay \$218,500,000 in repara-

1 tions to the victims and their families of these terror  
2 acts.

3 (14) On April 1, 2015, the “State of Palestine”  
4 officially became a member of the International  
5 Criminal Court.

6 (15) The PLO continues to reward terrorists  
7 and their families who commit terrorist attacks, pro-  
8 viding a higher reward to those with longer jail sen-  
9 tences.

10 (16) The PLO continues to refuse to disclose  
11 all of its financial assets, including the multi-billion  
12 dollar Palestinian National Fund (PNF) belonging  
13 to Mahmoud Abbas. The Fund is estimated to have  
14 tens of billions of dollars, though its exact amount  
15 is unknown. It is allegedly used by Abbas to fund ev-  
16 erything from his international campaign against  
17 Israel to compensation to the families of Palestinian  
18 terrorists.

19 **SEC. 3. SENSE OF CONGRESS.**

20 It is the sense of Congress that—

21 (1) the Palestine Liberation Organization  
22 (PLO) has failed to live up to its commitment to a  
23 bilateral peace process with Israel, renounce vio-  
24 lence, accept Israel’s right to exist, honor previous  
25 diplomatic agreements made by the Palestinians,

1 and continues to circumvent a negotiated settlement  
2 with Israel by seeking unilateral statehood at the  
3 United Nations and from other countries, and con-  
4 tinues to actively endorse terror;

5 (2) Mahmoud Abbas has purposefully blurred  
6 the lines between the PLO and the Palestinian Au-  
7 thority in order to avoid responsibility for violating  
8 previous agreements with Israel while continuing to  
9 receive United States aid;

10 (3) the Palestinian initiation of an International  
11 Criminal Court investigation, or active support for  
12 such an investigation, that subjects Israeli nationals  
13 to an investigation for alleged crimes against Pal-  
14 estinians, would violate the Palestinians' commit-  
15 ment to not change the status of the West Bank and  
16 Gaza Strip;

17 (4) only a solution negotiated directly between  
18 the Israelis and Palestinians can result in a lasting  
19 peace, and the Palestinians should not turn to out-  
20 side parties, including international organizations, to  
21 impose or otherwise influence a solution between the  
22 parties;

23 (5) if the Palestinian Authority or any rep-  
24 resentation thereof initiates or supports an inves-  
25 tigation at the International Criminal Court, the

1 Secretary of State should close the Palestine Libera-  
2 tion Organization Mission office in the United  
3 States; and

4 (6) it is in the national security interests of the  
5 United States to remove the PLO office from Wash-  
6 ington, D.C.

7 **SEC. 4. PROHIBITIONS REGARDING THE PLO UNDER THE**  
8 **ANTI-TERRORISM ACT OF 1987.**

9 Section 1003 of the Anti-Terrorism Act of 1987 (22  
10 U.S.C. 5202) is amended—

11 (1) by striking “It shall be unlawful” and in-  
12 serting “(a) IN GENERAL.—It shall be unlawful”;  
13 and

14 (2) by adding at the end the following:

15 “(b) WAIVER.—Notwithstanding any other provision  
16 of law, including section 604 of the Foreign Relations Au-  
17 thorization Act, Fiscal Year 2003 (Public Law 107–228),  
18 the President may waive for a period of not more than  
19 6 months the provisions of subsection (a) if the President  
20 determines and certifies in writing to Congress, no less  
21 than 45 days before the waiver is to take effect, that—

22 “(1)(A) the Palestinians have not, on or after  
23 April 1, 2015, obtained in the United Nations or  
24 any specialized agency thereof the same standing as  
25 member states or full membership as a state outside

1 an agreement negotiated between Israel and the Pal-  
2 estinians;

3 “(B) the Palestinians have officially ceased to  
4 be members of the International Criminal Court  
5 (ICC) and have withdrawn from the Rome Statute;

6 “(C) any preliminary examination or ongoing  
7 investigation against Israel, the Government of  
8 Israel, the Israeli Armed or Security Forces, or any  
9 Israeli national initiated by, or on behalf of, the Pal-  
10 estinians, or referred to the ICC by a state party,  
11 the United Nations Security Council, or a Pre-Trial  
12 Chamber has been withdrawn and terminated;

13 “(D) the PLO and the Palestinian Authority no  
14 longer provide any financial award, payment, or sal-  
15 ary to Palestinian terrorists imprisoned in Israel  
16 who have committed terrorist attacks, or their fami-  
17 lies; and

18 “(E) the PLO and the Palestinian Authority no  
19 longer engage in a pattern of incitement against the  
20 United States or Israel; or

21 “(2) the Palestinians have entered into a final  
22 negotiated peace agreement with, and have ceased  
23 all hostilities against, Israel.

24 “(c) DEFINITION.—In subsection (b)(1)(E), the term  
25 ‘incitement’ means—



1           “(1) statements, media, communication, or  
2 other activities against any religion, ethnicity, or na-  
3 tionality;

4           “(2) advocacy, endorsement, or glorification of  
5 violence, martyrdom, or terrorism; or

6           “(3) endorsement, glorification, honor, or other  
7 memorialization of any person or group that has ad-  
8 vocated, sponsored, or committed acts of terrorism,  
9 including the naming after or dedication to such per-  
10 son or group of any school, community center, camp,  
11 stadium, public square, street, land, landmark, wa-  
12 terway, or other facility.”.