

Public Law ____–____
118th Congress

#H.R. 34

To promote the United States as a neutral arbiter of peace in Israel-Palestine

###IN THE HOUSE OF REPRESENTATIVES

June 28, 2021

Mr. UNORTHODOXAMBASSADOR OF FREMONT (for himself) authored
and submitted the following bill, which was referred to

#AN ACT

###To promote the United States as a neutral arbiter of peace in
Israel-Palestine.

**Now, therefore, be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled—**

SECTION 1. SHORT TITLE.

This Act may be cited as the “The Promotion of Peace and American
Neutrality in Israel-Palestine Act”.

SECTION 2: DEFINITIONS

APARTHEID: The Convention on the Suppression and Punishment of the
Crime of Apartheid [defines](#) apartheid as the following:

>^“The Apartheid Convention declares that apartheid is a crime against
humanity and that “inhuman acts resulting from the policies and practices of
apartheid and similar policies and practices of racial segregation and
discrimination” are international crimes (art. 1). Article 2 defines the crime of
apartheid –“which shall include similar policies and practices of racial
segregation and discrimination as practised in southern Africa” – as covering

“inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them”. It then lists the acts that fall within the ambit of the crime. These include murder, torture, inhuman treatment and arbitrary arrest of members of a racial group; deliberate imposition on a racial group of living conditions calculated to cause its physical destruction; legislative measures that discriminate in the political, social, economic and cultural fields; measures that divide the population along racial lines by the creation of separate residential areas for racial groups; the prohibition of interracial marriages; and the persecution of persons opposed to apartheid.”

****SECTION 3: FINDINGS****

Congress finds the following:

- (1) Approximately 3,000,000 Palestinians live in the West Bank, of which around 45 percent are children under the age of 18 who have lived their entire lives under Israeli military control.
- (2) Within Israel-Palestine there are two separate legal systems. Within the Israel-occupied West Bank Palestinians are subjected to Israeli military law. However, in regards to the Israel-occupied West Bank, Israeli settlers are subjects of Israeli civilian law.
 - >(i) This is a violation of the Convention on the Rights of the Child of which Israel is a signatory.
- (3) The Israeli Human-Rights Organization [B'Tselem](#), [Human Rights Watch](#) in addition to a report from the [United Nations](#) have described Israel as an “apartheid state.”
- (4) The United States has long opposed “apartheid” as is evident from the United States’ actions in the global effort to end apartheid in South Africa.
- (5) Israel is an OECD nation and does not require subsidies provided by the United States government.
- (6) The geopolitical reality of the Middle East no longer requires the United States to be the financial guarantor of the Israeli military.

****SECTION 3: SENSE OF CONGRESS****

It is the sense of Congress that --

(1) Actions by the Government of Israel in the occupied West Bank and in the Gaza Strip, including the detention of Palestinian civilians in the Israeli military court system, the seizure, appropriation, and destruction of Palestinian property and forcible transfer of civilians, and further annexation of Palestinian land in violation of international law and internationally recognized standards of human rights --

>(i) are contrary to the values of the American people and the efforts of the United States to support self-determination, human rights, and dignity for both Palestinians and Israelis; and

>(ii) undermine efforts by the United States to be perceived as a neutral arbiter of peace between the Israeli and Palestinian people.

(2) Promoting human rights, human dignity, and democratic rights for all Palestinians and Israelis are foreign policy priorities of the United States; and

(3) The United States rejects any undemocratic system or act of aggression in which Israel unilaterally exercises permanent rule over a Palestinian people denied self-determination and human rights.

****SECTION 4: STATEMENT OF POLICY****

It is the policy of the United States not to support actions by the Government of Israel involving --

(1) The military detention of Palestinian civilians in violation of international law.

(2) The seizure, appropriation, and destruction of Palestinian property or the forcible transfer and or displacement of civilians in the occupied West Bank and or the Gaza Strip in violation of international law; or

(3) The further encroachment of Israel on Palestinian land and property in violation of international law.

****SECTION 5: PROHIBITION****

(1) PROHIBITION. -- Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for

assistance to the Government of Israel may be obligated or expended for any reason.

****SECTION 6: REPEAL OF THE JERUSALEM EMBASSY ACT OF 1995****

(1)The ‘Jerusalem Embassy Act of 1995’ is hereby repealed in its entirety.

****SECTION 7: REPLACEMENT OF THE JERUSALEM EMBASSY ACT OF 1995****

(1)It is the policy of the United States --

>(i)Jerusalem is a city split in two claimed by both Israel and Palestine (the West Bank) in which every ethnic and religious group should be protected;

>(ii)In an effort of neutrality Jerusalem should not be considered the capital of Israel or Palestine; and

>(iii)The United States should not operate consular properties within Israeli or Palestinian Jerusalem; and

>(iv)The United States embassy should be moved to Tel Aviv no later than December 31, 2021.

>(v)It is in the interest of the United States to ensure that Americans visiting or residing in the Palestinian territories have access to consular services; and

>(vi)It is in the interest of the United States to promote communication between the Palestinian National Authority, the Government of Israel, and the United States; and

>(vii)It is in the interest of the United States to demonstrate neutrality and therefore establish an Embassy or Consulate in Palestine.

>(viii)The State Department should operate either an Embassy or Consulate in Gaza City no later than December 31, 2022.

(2)ISRAELI OPENING DETERMINATION. -- Not more than 50 percent of the funds appropriated to the Department of State for fiscal year 2022 for “Acquisition and Maintenance of Buildings Abroad” may be obligated until the Secretary of State determines and reports to Congress that the United States Embassy in Jerusalem has been officially closed and the Embassy has been officially relocated to Tel Aviv.

(3)PALESTINEAN OPENING DETERMINATION. -- Not more than 50 percent of the funds appropriated to the Department of State for fiscal year 2023 for “Acquisition and Maintenance of Buildings Abroad” may be obligated until the Secretary of State determines and reports to Congress that the United States opens and operates an Embassy or Consulate in Gaza City.

****SECTION 8: STATE DEPARTMENT REPORT ON ITS ADHERENCE TO THE LEAHY LAWS****

(1)Not later than 1 year following the enactment of this bill should the State Department deliver a report to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate detailing to what extent, if any, the State Department has violated the Leahy Laws since the fiscal year 2000.

****SECTION 9: DEPARTMENT OF DEFENSE INVESTIGATION INTO THE USS LIBERTY INCIDENT****

(1)The Department of Defense shall open a new investigation into the U.S.S. Liberty Incident of June 9, 1967.

(2)Not later than 1 year following the enactment of this bill should the Department of Defense deliver a report to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate detailing the findings of their investigation.

****SECTION 10: STATE DEPARTMENT REPORT ON ITS PROGRESS IN MOVING THE US EMBASSY IN ISRAEL****

(1)Not later than 90 days after the date of enactment of this Act, the Secretary of State shall submit a report to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate detailing the Department of State’s plan to implement this Act. Such report shall include --

>(i)Estimated dates of completion for each phase of the establishment of the United States Embassy.

>(ii)An estimate of the funding necessary to implement this Act, including all costs associated with establishing the United States Embassy in Tel Aviv.

****SECTION 11: STATE DEPARTMENT REPORT ON ITS PROGRESS
IN PROVIDING PALESTINE WITH CONSULAR SERVICES****

(1)Not later than 90 days after the date of enactment of this Act, the Secretary of State shall submit a report to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate detailing the Department of State's plan to implement this Act. Such report shall include --

>(i)Estimated dates of completion for each phase of the establishment of the United States Embassy.

>(ii)An estimate of the funding necessary to implement this Act, including all costs associated with establishing the United States Embassy or Consulate in Gaza City.

****SECTION 12: MAKING AVAILABLE USAID GRANTS TO
PALESTINE****

(1)This body shall allocate an additional \$4 billion to USAID.

>(i)USAID shall use these funds to increase economic and political stability in the Palestinian territories.

>(ii)USAID shall not use these funds in any other matter or anywhere else whatsoever.

>(iii)USAID shall engage in rigorous vetting processes in disbursing this money to ensure that it will not be used in any other matter than its intended purpose.

****SECTION 13. OTHER APPROPRIATIONS.****

(1)This body shall allocate an additional \$500 million to the State Department for any expense which it may incur as a result of this Act.

>(i)If there are excess funds after the completion of the goals set for the State Department in this Act, the money shall be returned by the State Department, or, allocated by the State Department to USAID for the intentions set out in Section 12.

****SECTION 14. ENACTMENT.****

This Act shall come into effect immediately upon its successful passage. and shall take precedence over all previous pieces of legislation that might contradict it. Should any part of this Act be struck down due to being unconstitutional, the rest shall remain law.