

Biden's 'Open Door' to the Palestinian Authority

by [David Pollock \(/experts/david-pollock\)](/experts/david-pollock), [Sander Gerber \(/experts/sander-gerber\)](/experts/sander-gerber)

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ABOUT THE AUTHORS



[David Pollock \(/experts/david-pollock\)](/experts/david-pollock)

David Pollock is the Bernstein Fellow at The Washington Institute, focusing on regional political dynamics and related issues.

[Sander Gerber \(/experts/sander-gerber\)](/experts/sander-gerber)

Sander Gerber is the CEO of Hudson Bay Capital Management and a fellow at JINSA and the Jerusalem Center for Public Affairs.



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Reestablishing U.S. funding and diplomatic missions may pose problems given the Palestinian leadership's continued rejectionism, but one key benefit could be ending the PA "pay for slay" program.

The Biden administration is contemplating reopening the Palestine Liberation Organization (PLO) mission in Washington and restoring direct aid to the Palestinian Authority (PA), both previously shut down by the Trump administration. However, instead of diving headfirst into another diplomatic dead-end with the PA/PLO, President Joe Biden should attach real and substantial conditions to any reopening.

It is worth examining the fraught history of the PLO mission in Washington. The State Department shut down the "Palestine Information Office" in October 1987 in response to the PLO's involvement with various acts of terror. Just two months after the closure, Congress passed the Anti-Terrorism Act of 1987, which, among other things, declared the PLO to be a terrorist organization and prohibited the opening of PLO facilities on US soil.

According to the legislation, "the PLO and its affiliates are a terrorist organization and a threat to the interests of the US, its allies and to international law, and should not benefit from operating in the US." Despite the ban, Congress allowed for the president to issue a waiver on his own accord, which every president since the 1993 Oslo Accords did, save for Donald Trump.

Now, more than three decades after Congress enshrined the PLO's terrorist label into law, it has re-emerged in

political consciousness as Biden mulls whether to take the plunge and reopen the PLO mission. In issuing the waiver, each president has had to wrestle with what Congress has declared to be statutorily true and relevant, and what the president himself believes to be diplomatically important. A decision to reopen the mission will amount to a reversal from his predecessor (as opposed to a continuation of the status quo). And let it be clear, unlike the restoration of aid to the Palestinians, there is no humanitarian justification for reopening this mission—it is purely a political choice.

In a message released last weekend, PA President Mahmoud Abbas asked that this law be repealed. Privately, however, he is reportedly also concerned about another US law, the Alien Tort Claims Act, which could hold the PLO responsible for terrorist damages if it resumes a presence in American jurisdiction—unlike its existing UN mission, which has immunity under other laws.

Meanwhile, even if Congress re-evaluates the modern-day PLO and determines it is no longer a terrorist organization, it would behoove the Biden administration to place conditions on the PLO for reopening its mission or receiving any new direct aid. A starting point for such conditions would be demanding the PLO end its “pay for slay” program, in strict accordance with a third US law, the Taylor Force Act.

Unequivocally, we know “pay for slay”—a program that establishes an enhanced benefits system for Palestinian terrorists based on how many Jews they kill—remains alive and well. A longer prison sentence means a larger payout and, to no surprise, the PA, the dominant party within the PLO, spends 7 percent of its budget—hundreds of millions of dollars—to sustain this terror network.

It simply will not do to rationalize this terror financing on the grounds that the PA also coordinates some security operations, in its own interest, with Israel, or that Abbas has opposed the “armed struggle” championed by both Yasser Arafat and Hamas. That is true, but it does not excuse the blatant hypocrisy and lethal effects of “pay for slay.”

Nor will it do to argue that Abbas faces too much popular pressure to maintain this “program.” That is simply untrue. A credible Palestinian opinion poll from last year shows two-thirds of West Bankers agree

(<https://www.washingtoninstitute.org/policy-analysis/nation-divided-palestinian-views-war-and-peace-israel>) that the PA should “stop paying extra bonuses and benefits to prisoners or ‘martyrs’ families.” In fact, Abbas himself, in a recorded video released over the weekend, is now hinting at his willingness to “correct” any “obstacles” to relations with Washington. Private reports say he has the paperwork ready to do so, once his plan for a Palestinian election is postponed again. He should be held strictly accountable for exactly that.

While compelling the PA to eliminate “pay for slay” might not rectify every ill in the organization, it would be a start. It will not, however, rectify the stubborn rejectionism that has plagued the Palestinian leadership for decades. For instance, nearly a dozen Palestinian political parties, including Fatah and the PA, are using maps in their party logos and messages in their official media that call the entire area of Israel “Palestine” and that praise terrorists who murder innocent civilians, including Americans, in “occupied” Tel Aviv, Haifa, Acre and other Israeli cities.

This is not just idle propaganda. Polls show that two-thirds of West Bankers and Gazans now say that, even if an independent Palestinian state is established, “the conflict should not end and the struggle should continue until all of historic Palestine is liberated.” This is not just a threat to Israel but also violates every tenet of US policy **(<https://www.washingtoninstitute.org/policy-analysis/asset-test-2021-how-us-can-keep-benefiting-its-alliance-israel>)**, Arab consensus and international law, and even the PLO’s own signed agreements—from the “two-state solution” to the Arab Peace Initiative, the UN Charter and the Oslo Accords. Indeed, it is precisely those who seek peace who should insist that the PLO, PA and Fatah demonstrably end this double-talk.

For all these reasons, conditioning the reopening of the mission and any new direct aid on ending “pay for slay” would send a strong message that the Biden administration has clear standards when it comes to diplomacy. Not every foreign entity is worthy of a mission—and, more abstractly, worthy of the president’s time. The ability to open

and maintain facilities in the US lends legitimacy to a foreign regime, and this reasoning is precisely why Iran, North Korea and Syria no longer have missions in the US. In effect, reopening the mission would be an indirect endorsement of the PA's government-funded terrorist program.

The Trump administration attempted, unsuccessfully, to stop "pay for slay." The PA has tried all kinds of subterfuge to avoid a clear choice for peace: Phony bank accounts, fake "salaries" or job offers to convicted terrorists, false promises of "reform" and more. The Biden administration now has the leverage to compel meaningful changes within the PA/PLO. It is high time such leverage was used.

David Pollock is the Bernstein Fellow at The Washington Institute and director of Project Fikra. Sander Gerber is the CEO of Hudson Bay Capital Management and a fellow at JINSA and the Jerusalem Center for Public Affairs. This article was originally published on the Arab News website (<https://www.arabnews.com/node/1849421>). ❖

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