

## Calendar No. 133

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**H. R. 2745**


---

 IN THE SENATE OF THE UNITED STATES

JUNE 20, 2005

Received and read the first time

JUNE 21, 2005

Read the second time and placed on the calendar

---

**AN ACT**

To reform the United Nations, and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
 5 “Henry J. Hyde United Nations Reform Act of 2005”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
 7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Statement of Congress.

## TITLE I—MISSION AND BUDGET OF THE UNITED NATIONS

Sec. 101. United States financial contributions to the United Nations.

Sec. 102. Weighted voting.

- Sec. 103. Budget certification requirements.
- Sec. 104. Accountability.
- Sec. 105. Terrorism and the United Nations.
- Sec. 106. United Nations treaty bodies.
- Sec. 107. Equality at the United Nations.
- Sec. 108. Report on United Nations reform.
- Sec. 109. Report on United Nations personnel.
- Sec. 110. Report on United States contributions to the United Nations.
- Sec. 111. United Nations Security Council and Lebanon.
- Sec. 112. Policy with respect to expansion of the Security Council.
- Sec. 113. Genocide and the United Nations.
- Sec. 114. Anti-semitism and the United Nations.

TITLE II—HUMAN RIGHTS AND THE ECONOMIC AND SOCIAL  
COUNCIL (ECOSOC)

- Sec. 201. Human rights.
- Sec. 202. Economic and Social Council (ECOSOC).
- Sec. 203. United Nations Democracy Fund.

TITLE III—INTERNATIONAL ATOMIC ENERGY AGENCY

- Sec. 301. International Atomic Energy Agency.
- Sec. 302. Sense of Congress regarding the Nuclear Security Action Plan of the IAEA.

TITLE IV—PEACEKEEPING

- Sec. 401. Sense of Congress regarding reform of United Nations peacekeeping operations.
- Sec. 402. Statement of policy relating to reform of United Nations peacekeeping operations.
- Sec. 403. Certification.
- Sec. 404. Rule of construction relating to protection of United States officials and members of the Armed Forces.

TITLE V—DEPARTMENT OF STATE AND GOVERNMENT  
ACCOUNTABILITY OFFICE

- Sec. 501. Positions for United States citizens at international organizations.
- Sec. 502. Budget justification for regular assessed budget of the United Nations.
- Sec. 503. Review and report.
- Sec. 504. Government Accountability Office.

TITLE VI—CERTIFICATIONS AND WITHHOLDING OF  
CONTRIBUTIONS

- Sec. 601. Certifications and withholding of contributions.

**1 SEC. 2. DEFINITIONS.**

**2 In this Act:**

**3 (1) APPROPRIATE CONGRESSIONAL COMMIT-**  
**4 TEES.—**The term “appropriate congressional com-

1       mittees” means the Committee on International Re-  
2       lations of the House of Representatives and the  
3       Committee on Foreign Relations of the Senate.

4               (2) EMPLOYEE.—The term “employee” means  
5       an individual who is employed in the general serv-  
6       ices, professional staff, or senior management of the  
7       United Nations, including contractors and consult-  
8       ants.

9               (3) GENERAL ASSEMBLY.—The term “General  
10       Assembly” means the General Assembly of the  
11       United Nations.

12              (4) MEMBER STATE.—The term “Member  
13       State” means a Member State of the United Na-  
14       tions. Such term is synonymous with the term  
15       “country”.

16              (5) SECRETARY.—The term “Secretary” means  
17       the Secretary of State.

18              (6) SECRETARY GENERAL.—The term “Sec-  
19       retary General” means the Secretary General of the  
20       United Nations.

21              (7) SECURITY COUNCIL.—The term “Security  
22       Council” means the Security Council of the United  
23       Nations.

24              (8) SPECIALIZED AGENCIES AND SPECIALIZED  
25       AGENCIES OF THE UNITED NATIONS.—The terms

1 “specialized agencies” and “specialized agencies of  
2 the United Nations” mean—

3 (A) the Food and Agriculture Organization  
4 (FAO);

5 (B) the International Atomic Energy  
6 Agency (IAEA);

7 (C) the International Civil Aviation Orga-  
8 nization (ICAO);

9 (D) the International Fund for Agricul-  
10 tural Development (IFAD);

11 (E) the International Labor Organization  
12 (ILO);

13 (F) the International Maritime Organiza-  
14 tion (IMO);

15 (G) the International Telecommunication  
16 Union (ITU);

17 (H) the United Nations Educational, Sci-  
18 entific, and Cultural Organization (UNESCO);

19 (I) the United Nations Industrial Develop-  
20 ment Organization (UNIDO);

21 (J) the Universal Postal Union (UPU);

22 (K) the World Health Organization  
23 (WHO) and its regional agencies;

24 (L) the World Meteorological Organization  
25 (WMO); and

1 (M) the World Intellectual Property Orga-  
2 nization (WIPO).

3 **SEC. 3. STATEMENT OF CONGRESS.**

4 Congress declares that, in light of recent history, it  
5 is incumbent upon the United Nations to enact significant  
6 reform measures if it is to restore the public trust and  
7 confidence necessary for it to achieve the laudable goals  
8 set forth in its Charter. To this end, the following Act  
9 seeks to reform the United Nations.

10 **TITLE I—MISSION AND BUDGET**  
11 **OF THE UNITED NATIONS**

12 **SEC. 101. UNITED STATES FINANCIAL CONTRIBUTIONS TO**  
13 **THE UNITED NATIONS.**

14 (a) STATEMENTS OF POLICY.—

15 (1) IN GENERAL.—It shall be the policy of the  
16 United States to use its voice, vote, and influence at  
17 the United Nations to—

18 (A) pursue a streamlined, efficient, and ac-  
19 countable regular assessed budget of the United  
20 Nations; and

21 (B) shift funding mechanisms of certain  
22 organizational programs of the United Nations  
23 specified under paragraph (4) from the regular  
24 assessed budget to voluntarily funded programs.

1           (2) UNITED STATES CONTRIBUTIONS.—It shall  
2 be the policy of the United States to—

3           (A) redirect United States contributions to  
4 the United Nations to achieve the policy objec-  
5 tives described in paragraph (1)(B); and

6           (B) redirect a portion of funds from the  
7 following organizational programs to pursue the  
8 policy objectives described in paragraph (1)(A):

9           (i) Public Information.

10           (ii) General Assembly affairs and con-  
11 ference services.

12           (3) FUTURE BIENNIUM BUDGETS.—It shall be  
13 the policy of the United States to use its voice, vote,  
14 and influence at the United Nations to ensure that  
15 future biennial budgets of the United Nations, as  
16 agreed to by the General Assembly, reflect the shift  
17 in funding mechanisms described in paragraph  
18 (1)(B) and the redirection of funds described in  
19 paragraph (2).

20           (4) CERTAIN ORGANIZATIONAL PROGRAMS.—  
21 The organizational programs referred to in para-  
22 graph (1)(B) are the following:

23           (A) Economic and social affairs.

1           (B) Least-developed countries, landlocked  
2           developing countries and small island devel-  
3           oping States.

4           (C) United Nations support for the New  
5           Partnership for Africa's Development.

6           (D) Trade and development.

7           (E) International Trade Center UNCTAD/  
8           WTO.

9           (F) Environment.

10          (G) Human settlements.

11          (H) Crime prevention and criminal justice.

12          (I) International drug control.

13          (J) Economic and social development in  
14          Africa.

15          (K) Economic and social development in  
16          Asia and the Pacific.

17          (L) Economic development in Europe.

18          (M) Economic and social development in  
19          Latin America and the Caribbean.

20          (N) Economic and social development in  
21          Western Asia.

22          (O) Regular program of technical coopera-  
23          tion.

24          (P) Development account.



1           “(A) pursue a streamlined, efficient, and  
2           accountable regular assessed budget of the  
3           United Nations; and

4           “(B) shift funding mechanisms of certain  
5           organizational programs of the United Nations  
6           specified under paragraph (2) of subsection (c)  
7           from the regular assessed budget to voluntarily  
8           funded programs.

9           “(2) UNITED STATES CONTRIBUTIONS.—It  
10          shall be the policy of the United States to—

11           “(A) redirect United States contributions  
12           to the United Nations to achieve the policy ob-  
13           jectives described in paragraph (1)(B); and

14           “(B) redirect a portion of funds from the  
15           following organizational programs to pursue the  
16           policy objectives described in paragraph (1)(A):

17                   “(i) Public Information.

18                   “(ii) General Assembly affairs and  
19                   conferences services.

20           “(3) FUTURE BIENNIUM BUDGETS.—The Presi-  
21           dent shall direct the United States Permanent Rep-  
22           resentative to the United Nations to use the voice,  
23           vote, and influence of the United States at the  
24           United Nations to ensure that the shifting of fund-  
25           ing mechanisms under paragraph (1)(B) and re-

1 directing of contributions under paragraph (2) be re-  
2 flected in future resolutions agreed to by the General  
3 Assembly for the regular assessed budget of the  
4 United Nations for the period of a current biennium.  
5 To achieve the policies described in paragraphs (1)  
6 and (2), the United States Permanent Representa-  
7 tive to the United Nations shall withhold the support  
8 of the United States for a consensus for such budget  
9 until such time as such budget is reflective of such  
10 policies.

11 “(b) 22 PERCENT LIMITATION.—In accordance with  
12 section 601 of the Henry J. Hyde United Nations Reform  
13 Act of 2005, the Secretary may not make a contribution  
14 to a regularly assessed biennial budget of the United Na-  
15 tions in an amount greater than 22 percent of the amount  
16 calculable under subsection (c).

17 “(c) ANNUAL DUES.—

18 “(1) IN GENERAL.—For annual dues paid by  
19 the United States to the United Nations each fiscal  
20 year, the percentage specified in subsection (b) shall  
21 be multiplied by one-half of the amount of the regu-  
22 larly assessed budget of the United Nations for a  
23 current biennial period, as agreed to by resolution of  
24 the General Assembly.

1           “(2) CALCULATION WITH RESPECT TO CERTAIN  
2 ORGANIZATIONAL PROGRAMS FOR REDIRECTION.—

3 The percentage specified in subsection (b) shall be  
4 multiplied by one-half of the sum of amounts budg-  
5 eted by resolution of the General Assembly for a  
6 current biennial period for the following certain or-  
7 ganizational programs:

8           “(A) Economic and social affairs.

9           “(B) Least-developed countries, landlocked  
10 developing countries and small island devel-  
11 oping States.

12           “(C) United Nations support for the New  
13 Partnership for Africa’s Development.

14           “(D) Trade and development.

15           “(E) International Trade Center  
16 UNCTAD/WTO.

17           “(F) Environment.

18           “(G) Human settlements.

19           “(H) Crime prevention and criminal jus-  
20 tice.

21           “(I) International drug control.

22           “(J) Economic and social development in  
23 Africa.

24           “(K) Economic and social development in  
25 Asia and the Pacific.

1           “(L) Economic development in Europe.

2           “(M) Economic and social development in  
3 Latin America and the Caribbean.

4           “(N) Economic and social development in  
5 Western Asia.

6           “(O) Regular program of technical co-  
7 operation.

8           “(P) Development account.

9           “(Q) Protection of and assistance to refu-  
10 gees.

11          “(R) Palestine refugees.

12          “(3) REDIRECTION OF FUNDS.—Of amounts  
13 appropriated for contributions towards payment of  
14 regular assessed dues to the United Nations for  
15 2008 and each subsequent year, if the funding  
16 mechanisms of one or more of the organizational  
17 programs of the United Nations specified in para-  
18 graph (2) have not been shifted from the regular as-  
19 sessed budget to voluntarily funded programs in ac-  
20 cordance with subsection (a)(1), the Secretary shall  
21 ensure that such amounts in each such fiscal year  
22 that are specified for each such organizational pro-  
23 gram pursuant to the resolution agreed to by the  
24 General Assembly for the regular assessed budget of  
25 the United Nations for the period of a current bien-

1 nium are redirected from payment of the assessed  
2 amount for the regular assessed budget as follows:

3 “(A) Subject to not less than 30 days prior  
4 notification to Congress, the Secretary shall ex-  
5 pend an amount, not to exceed 40 percent of  
6 the amount specified for each such organiza-  
7 tional program pursuant to the resolution  
8 agreed to by the General Assembly for the reg-  
9 ular assessed budget of the United Nations for  
10 the period of a current biennium, as a contribu-  
11 tion to an eligible organizational program speci-  
12 fied in paragraph (4).

13 “(B) Subject to not less than 30 days prior  
14 notification to Congress, the Secretary shall ex-  
15 pend the remaining amounts under this para-  
16 graph to voluntarily funded United Nations spe-  
17 cialized agencies, funds, or programs.

18 “(4) ELIGIBLE ORGANIZATIONAL PROGRAMS.—  
19 The eligible organizational programs referred to in  
20 paragraph (3)(A) for redirection of funds under such  
21 paragraph are the following:

22 “(A) Internal oversight.

23 “(B) Human rights.

24 “(C) Humanitarian assistance.

1           “(D) An organizational program specified  
2           in subparagraphs (A) through (P) of paragraph  
3           (2), subject to paragraph (5).

4           “(5) EXPENDITURE OF REMAINING AMOUNTS  
5           TO CERTAIN ORGANIZATION PROGRAMS.—

6           “(A) VOLUNTARY CONTRIBUTION.—Sub-  
7           ject to not less than 30 days prior notification  
8           to Congress and the limitation specified under  
9           subparagraph (B), the Secretary is authorized  
10          to make a voluntary contribution to an organi-  
11          zational program of the United Nations speci-  
12          fied in subparagraphs (A) through (P) of para-  
13          graph (2) of any amounts not contributed in a  
14          fiscal year to an eligible organizational program  
15          specified in subparagraphs (A) through (C) of  
16          paragraph (4).

17          “(B) 10 PERCENT LIMITATION.—A vol-  
18          untary contribution under subparagraph (A) to  
19          an organizational program of the United Na-  
20          tions specified in subparagraphs (A) through  
21          (P) of paragraph (2) may not exceed 10 percent  
22          of the total contribution made under paragraph  
23          (3)(A).

1       “(d) FURTHER CALCULATION WITH RESPECT TO  
2 BUDGETS FOR PUBLIC INFORMATION AND GENERAL AS-  
3 SEMBLY AFFAIRS AND CONFERENCE SERVICES.—

4           “(1) 22 PERCENT LIMITATION.—The Secretary  
5 may not make a contribution to a regularly assessed  
6 biennial budget of the United Nations in an amount  
7 greater than 22 percent of the amount calculable  
8 under paragraph (2).

9           “(2) ANNUAL DUES EACH FISCAL YEAR.—

10           “(A) IN GENERAL.—For annual dues paid  
11 by the United States to the United Nations  
12 each fiscal year, the percentage specified in  
13 paragraph (1) shall be multiplied by one-half of  
14 the amount of the regularly assessed budget of  
15 the United Nations for a current biennial pe-  
16 riod, as agreed to by resolution of the General  
17 Assembly.

18           “(B) CALCULATION WITH RESPECT TO  
19 PUBLIC INFORMATION AND GENERAL ASSEMBLY  
20 AFFAIRS AND CONFERENCE SERVICES.—With  
21 respect to such United States annual dues, the  
22 percentage specified in paragraph (1) shall be  
23 multiplied by one-half of the sum of amounts  
24 budgeted by resolution of the General Assembly

1 for the 2004–2005 biennial period for the fol-  
2 lowing organizational programs:

3 “(i) Public Information.

4 “(ii) General Assembly affairs and  
5 conferences services.

6 “(C) REDIRECTION OF FUNDS.—

7 “(i) IN GENERAL.—The President  
8 shall direct the United States Permanent  
9 Representative to the United Nations to  
10 make every effort, including the with-  
11 holding of United States support for a con-  
12 sensus budget of the United Nations, to  
13 reduce the budgets of the organizational  
14 programs specified in subparagraph (B)  
15 for 2007 by ten percent against the budg-  
16 ets of such organizational programs for the  
17 2004–2005 biennial period. If the budgets  
18 of such organizational programs are not so  
19 reduced, 20 percent the amount deter-  
20 mined under subparagraph (B) for con-  
21 tributions towards payment of regular as-  
22 sessed dues for 2007 shall be redirected  
23 from payment for the amount assessed for  
24 United States annual contributions to the

1 regular assessed budget of the United Na-  
2 tions.

3 “(ii) SPECIFIC AMOUNTS.—The Sec-  
4 retary shall make the amount determined  
5 under clause (i) available as a contribution  
6 to an eligible organizational program speci-  
7 fied in subparagraphs (A) through (C) of  
8 paragraph (4) of subsection (c).

9 “(3) POLICY WITH RESPECT TO 2008–2009 BIEN-  
10 NIAL PERIOD AND SUBSEQUENT BIENNIAL PERI-  
11 ODS.—

12 “(A) IN GENERAL.—The President shall  
13 direct the United States Permanent Represent-  
14 ative to the United Nations to make every ef-  
15 fort, including the withholding of United States  
16 support for a consensus budget of the United  
17 Nations, to reduce the budgets of the organiza-  
18 tional programs specified in subparagraph (B)  
19 of paragraph (2) for the 2008–2009 biennial  
20 period and each subsequent biennial period by  
21 20 percent against the budgets of such organi-  
22 zational programs for the 2004–2005 biennial  
23 period.

24 “(B) CERTIFICATION.—In accordance with  
25 section 601, a certification shall be required

1           that certifies that the reduction in budgets de-  
2           scribed in subparagraph (A) has been imple-  
3           mented.”.

4           (d) EFFECTIVE DATE.—The amendment made by  
5           subsection (c) shall take effect and apply beginning on Oc-  
6           tober 1, 2006.

7           (e) LIMITATION ON UNITED STATES CONTRIBUTIONS  
8           TO UNRWA.—The Secretary of State may not make a  
9           contribution to the United Nations Relief and Works  
10          Agency for Palestine Refugees in the Near East  
11          (UNRWA) in an amount greater than the highest con-  
12          tribution to UNRWA made by an Arab country, but may  
13          not exceed 22 percent of the total budget of UNRWA. For  
14          purposes of this subsection, an Arab country includes the  
15          following: Algeria, Bahrain, Comoros, Djibouti, Egypt,  
16          Iran, Jordan, Kuwait, Lebanon, Libya, Mauritania, Mo-  
17          rocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syria,  
18          Tunisia, the United Arab Emirates, Iraq, and Yemen.

19          (f) POLICY RELATING TO ZERO NOMINAL  
20          GROWTH.—It shall be the policy of the United States to  
21          use the voice, vote, and influence of the United States at  
22          the United Nations to make every effort to enforce zero  
23          nominal growth in all assessed dues to the regular budget  
24          of the United Nations, its specialized agencies, and its  
25          funds and programs.

1 (g) 5.6 Rule.—It shall be the policy of the United  
2 States to use the voice, vote, and influence of the United  
3 States at the United Nations to actively enforce the 5.6  
4 rule at the United Nations, requiring the Secretariat to  
5 identify low-priority activities in the budget proposal. The  
6 United Nations should strengthen the 5.6 rule by requir-  
7 ing that managers identify the lowest priority activities  
8 equivalent to 15 percent of their budget request or face  
9 an across the board reduction of such amount.

10 (h) ANNUAL PUBLICATION.—It shall be the policy of  
11 the United States to use the voice, vote, and influence of  
12 the United States at the United Nations to ensure the  
13 United Nations is annually publishing a list of all sub-  
14 sidiary bodies and their functions, budgets, and staff.

15 (i) SCALE OF ASSESSMENTS.—The President shall  
16 direct the United States Permanent Representative to the  
17 United Nations to use the voice, vote, and influence of the  
18 United States at the United Nations to make every effort  
19 to ensure that the difference between the scale of assess-  
20 ments for the five permanent members of the Security  
21 Council is not greater than five times that of any other  
22 permanent member of the Security Council.

23 (j) DENIAL OF USE OF VETO.—If the Secretary of  
24 State determines that a permanent member of the Secu-  
25 rity Council with veto power is not in compliance with the

1 requirement described in subsection (e), the President  
2 shall direct the United States Permanent Representative  
3 to the United Nations to use the voice, vote, and influence  
4 of the United States at the United Nations to make every  
5 effort to deny to such permanent member the use of the  
6 veto power of such permanent member until such time as  
7 such permanent member satisfies the requirement of such  
8 subsection.

9 **SEC. 102. WEIGHTED VOTING.**

10 It shall be the policy of the United States to actively  
11 pursue weighted voting with respect to all budgetary and  
12 financial matters in the Administrative and Budgetary  
13 Committee and in the General Assembly in accordance  
14 with the level of the financial contribution of a Member  
15 State to the regular assessed budget of the United Na-  
16 tions.

17 **SEC. 103. BUDGET CERTIFICATION REQUIREMENTS.**

18 (a) CERTIFICATION.—In accordance with section  
19 601, a certification shall be required that certifies that the  
20 conditions described in subsection (b) have been satisfied.

21 (b) CONDITIONS.—The conditions under this sub-  
22 section are the following:

23 (1) NEW BUDGET PRACTICES FOR THE UNITED  
24 NATIONS.—The United Nations is implementing  
25 budget practices that—

1           (A) require the maintenance of a budget  
2 not in excess of the level agreed to by the Gen-  
3 eral Assembly at the beginning of each United  
4 Nations budgetary biennium, unless increases  
5 are agreed to by consensus and do not exceed  
6 ten percent; and

7           (B) require the identification of expendi-  
8 tures by the United Nations by functional cat-  
9 egories such as personnel, travel, and equip-  
10 ment.

11       (2) PROGRAM EVALUATION.—

12           (A) EXISTING AUTHORITY.—The Secretary  
13 General and the Director General of each spe-  
14 cialized agency have used their existing authori-  
15 ties to require program managers within the  
16 United Nations Secretariat and the Secretariats  
17 of the specialized agencies to conduct evalua-  
18 tions in accordance with the standardized meth-  
19 odology referred to in subparagraph (B) of—

20                   (i) United Nations programs approved  
21 by the General Assembly; and

22                   (ii) programs of the specialized agen-  
23 cies.

24           (B) DEVELOPMENT OF EVALUATION CRI-  
25 TERIA.—

1 (i) UNITED NATIONS.—The Office of  
2 Internal Oversight Services has developed  
3 a standardized methodology for the evalua-  
4 tion of United Nations programs approved  
5 by the General Assembly, including specific  
6 criteria for determining the continuing rel-  
7 evance and effectiveness of the programs.

8 (ii) SPECIALIZED AGENCIES.—Pat-  
9 terned on the work of the Office of Inter-  
10 nal Oversight Services of the United Na-  
11 tions, each specialized agency has devel-  
12 oped a standardized methodology for the  
13 evaluation of the programs of the agency,  
14 including specific criteria for determining  
15 the continuing relevance and effectiveness  
16 of the programs.

17 (C) REPORT.—The Secretary General is  
18 assessing budget requests and, on the basis of  
19 evaluations conducted under subparagraph (B)  
20 for the relevant preceding year, submits to the  
21 General Assembly a report containing the re-  
22 sults of such evaluations, identifying programs  
23 that have satisfied the criteria for continuing  
24 relevance and effectiveness, and an identifica-

1           tion of programs that have not satisfied such  
2           criteria and should be terminated.

3           (D) SUNSET OF PROGRAMS.—Consistent  
4           with the July 16, 1997, recommendations of the  
5           Secretary General regarding a sunset policy and  
6           results-based budgeting for United Nations pro-  
7           grams, the United Nations and each specialized  
8           agency has established and is implementing  
9           procedures to require all new programs ap-  
10          proved by the General Assembly to have a spe-  
11          cific sunset date.

12 **SEC. 104. ACCOUNTABILITY.**

13          (a) CERTIFICATION OF CREATION OF INDEPENDENT  
14          OVERSIGHT BOARD.—In accordance with section 601, a  
15          certification shall be required that certifies that the fol-  
16          lowing reforms related to the establishment of an Inde-  
17          pendent Oversight Board (IOB) have been adopted by the  
18          United Nations:

19               (1) An IOB is established from existing United  
20          Nations budgetary and personnel resources. Except  
21          as provided in this subsection, the IOB shall be an  
22          independent entity within the United Nations and  
23          shall not be subject to budget authority or organiza-  
24          tional authority of any entity within the United Na-  
25          tions.

1           (2) The head of the IOB shall be a Director,  
2           who shall be nominated by the Secretary General  
3           and who shall be subject to Security Council ap-  
4           proval by a majority vote. The IOB shall also consist  
5           of four other board members who shall be nominated  
6           by the Secretary General and subject to Security  
7           Council approval by a majority vote. The IOB shall  
8           be responsible to the Security Council and the Direc-  
9           tor and board members shall each serve terms of 6  
10          years, except that the terms of the initial board shall  
11          be staggered so that no more than two board mem-  
12          bers' terms will expire in any one year. No board  
13          member may serve more than two terms. An IOB  
14          board member may be removed for cause by a ma-  
15          jority vote of the Security Council. The Director  
16          shall appoint a professional staff headed by a Chief  
17          of Staff and may employ contract staff as needed.

18          (3) The IOB shall receive operational and budg-  
19          etary funding through appropriations by the General  
20          Assembly from existing levels of United Nations  
21          budgetary and personnel resources, and shall not be  
22          dependent upon any other entity, bureau, division,  
23          department, or specialized agency of the United Na-  
24          tions for such funding.

1           (4) While the IOB shall have the authority to  
2 evaluate all operations of the United Nations, the  
3 primary mission of the IOB is to oversee the Office  
4 of Internal Oversight Services and the Board of Ex-  
5 ternal Auditors. The IOB may direct the Office of  
6 Internal Oversight Services or the Board of External  
7 Auditors to initiate, abandon, or modify the scope of  
8 an investigation. Every three months or more fre-  
9 quently when appropriate, the IOB shall submit, as  
10 appropriate, to the Secretary General, the Security  
11 Council, the General Assembly, or the Economic and  
12 Social Council a report on its activities, relevant ob-  
13 servations, and recommendations relating to its  
14 audit operations, including information relating to  
15 the inventory and status of investigations by the Of-  
16 fice of Internal Oversight Services.

17           (5) In extraordinary circumstances and with the  
18 concurrence of the Secretary General or the Security  
19 Council by majority vote, the IOB may augment the  
20 Office of Internal Oversight Services with a special  
21 investigator and staff consisting of individuals who  
22 are not employees of the United Nations, to inves-  
23 tigate matters involving senior officials of the United  
24 Nations or of its specialized agencies when allega-  
25 tions of serious misconduct have been made and

1 such a special investigation is necessary to maintain  
2 public confidence in the integrity of the investiga-  
3 tion. A special investigator and staff shall comply  
4 with all United Nations financial disclosure and con-  
5 flict of interest rules, including the filing of an indi-  
6 vidual Annual Financial Disclosure Form in accord-  
7 ance with subsection (c).

8 (6) The IOB shall recommend annual budgets  
9 for the Office of Internal Oversight Services and the  
10 Board of External Auditors.

11 (7)(A) The IOB shall review the Final Report  
12 of the Independent Inquiry Committee (IIC) into the  
13 United Nations Oil for Food Program (OFF). The  
14 IOB's review should focus on the adequacy of the  
15 IIC's Final Report or any subsequent reports of the  
16 IIC or of any possible successor to the IIC. The  
17 IOB's review of the IIC's Final Report should ad-  
18 dress the Final Report's treatment of and adequacy  
19 in the following areas—

20 (i) OFF's operations from inception  
21 through the transfer of power from the Coali-  
22 tion Provisional Authority to the interim Iraqi  
23 government;

24 (ii) claims of oil smuggling, illegal sur-  
25 charges on oil and commissions on commodity

1 contracts, illegal kick-backs, use of oil alloca-  
2 tions to influence foreign government officials  
3 and international people of influence, and use of  
4 funds for military purposes;

5 (iii) the involvement, directly or indirectly,  
6 of any entity, bureau, division, department, spe-  
7 cialized agency, or employee (including the Sec-  
8 retary General) of the United Nations, includ-  
9 ing any employee of the specialized agencies of  
10 the United Nations or any employee or officer  
11 of the Secretariat;

12 (iv) the IIC's findings, discovery and use of  
13 evidence, and investigation practices; and

14 (v) the extent of cooperation by the United  
15 Nations with requests by Congress for testi-  
16 mony, interviews, documents, correspondence,  
17 reports, memoranda, books, papers, accounts,  
18 or records related to the Oil for Food Program.

19 (B) Subsequent to the IOB's review, the IOB  
20 shall determine in a written report whether the IIC  
21 investigation is incomplete or inadequate in any re-  
22 spects and whether any additional investigation is  
23 justified. If the IOB determines that additional in-  
24 vestigation is warranted, it shall appoint, in accord-  
25 ance with paragraph (5), a special investigator and

1 staff consisting of individuals who are not employees  
2 of the United Nations and to identify specific areas  
3 within the OFF to investigate.

4 (b) CERTIFICATION OF UNITED NATIONS REFORMS  
5 OF THE OFFICE OF INTERNAL OVERSIGHT SERVICES.—

6 In accordance with section 601, a certification shall be re-  
7 quired that certifies that the following reforms related to  
8 the Office of Internal Oversight Services (OIOS) have  
9 been adopted by the United Nations:

10 (1) The OIOS is designated as an independent  
11 entity within the United Nations. The OIOS shall  
12 not be subject to budget authority or organizational  
13 authority of any entity within the United Nations  
14 except as provided in this section.

15 (2) The regular assessed budget of the United  
16 Nations shall fully fund the Internal Oversight  
17 Budget from existing levels of United Nations budg-  
18 etary and personnel resources and shall not be de-  
19 pendent upon any other entity, bureau, division, de-  
20 partment, or specialized agency of the United Na-  
21 tions for such funding.

22 (3) All United Nations officials, including offi-  
23 cials from any entity, bureau, division, department,  
24 or specialized agency of the United Nations, may—

1           (A) make a recommendation to the OIOS  
2           to initiate an investigation of any aspect of the  
3           United Nations; or

4           (B) report to the OIOS information or al-  
5           legations of misconduct or inefficiencies within  
6           the United Nations.

7           (4) The OIOS may, sua sponte, initiate and  
8           conduct an investigation or audit of any entity, bu-  
9           reau, division, department, specialized agency, em-  
10          ployee (including the Secretary General) of the  
11          United Nations, including any employee of the spe-  
12          cialized agencies of the United Nations, or con-  
13          tractor or consultant for the United Nations or its  
14          specialized agencies.

15          (5) At least every three months and more fre-  
16          quently when appropriate, the OIOS shall submit to  
17          the IOB a report containing an inventory and status  
18          of its investigations.

19          (6) The OIOS shall establish procedures for  
20          providing “whistle-blower” status and employment  
21          protections for all employees of the United Nations,  
22          including employees of the specialized agencies of  
23          the United Nations, who provide informational leads  
24          and testimony related to allegations of wrongdoing.  
25          Such procedures shall be adopted throughout the

1 United Nations. Such status and protection may not  
2 be conferred on the Secretary General.

3 (7) The OIOS shall annually publish a public  
4 report determining the proper number, distribution,  
5 and expertise of auditors within the OIOS necessary  
6 to carry out present and future duties of the OIOS,  
7 including assessing the staffing requirements needed  
8 to audit United Nations contracting activities  
9 throughout the contract cycle from the bid process  
10 to contract performance.

11 (8) Not later than 6 months after the date of  
12 the enactment of this Act, the Director shall estab-  
13 lish a position of Associate Director of OIOS for  
14 Specialized Agencies and Funds and Programs who  
15 shall be responsible for supervising the OIOS liaison  
16 or oversight duties for each of the specialized agen-  
17 cies and funds and programs of the United Nations.  
18 With the concurrence of the Director, the Associate  
19 Director of OIOS for Specialized Agencies and  
20 Funds and Programs may, from existing levels of  
21 United Nations budgetary and personnel resources,  
22 hire and appoint necessary OIOS staff, including  
23 staff serving within and located at specialized agen-  
24 cies and funds and programs permanently or as

1 needed to liaison with existing audit functions within  
2 each specialized agency and fund and program.

3 (9) Not later than 6 months after the date of  
4 the enactment of this Act, the Director shall estab-  
5 lish a position of Associate Director of OIOS for  
6 Peacekeeping Operations, who shall be responsible  
7 for the oversight and auditing of the field offices at-  
8 tached to United Nations peacekeeping operations.  
9 The Associate Director of OIOS for Peacekeeping  
10 Operations shall receive informational leads and tes-  
11 timony from any person regarding allegations of  
12 wrongdoing by United Nations officials or peace-  
13 keeping troops or regarding inefficiencies associated  
14 with United Nations peacekeeping operations. The  
15 Associate Director of OIOS for Peacekeeping Oper-  
16 ations shall be responsible for initiating, conducting,  
17 and overseeing investigations within peacekeeping  
18 operations.

19 (10) Not later than 6 months after the date of  
20 the enactment of this Act, the Director shall estab-  
21 lish a position of Associate Director of OIOS for  
22 Procurement and Contract Integrity, who shall be  
23 responsible for auditing and inspecting procurement  
24 and contracting win the United Nations, including  
25 within the specialized agencies. The Associate Direc-

1       tor of OIOS for Procurement and Contract Integrity  
2       shall receive informational leads and testimony from  
3       any person regarding allegations of wrongdoing by  
4       United Nations officials or regarding inefficiencies  
5       associated with United Nations procurement or con-  
6       tracting activities. The Associate Director of OIOS  
7       for Procurement and Contract Integrity shall be re-  
8       sponsible for initiating, conducting, and overseeing  
9       investigations of procurement and contract activities.  
10      Not later than 12 months after the establishment of  
11      the position of Associate Director of OIOS for Pro-  
12      curement and Contract Integrity, the Director, with  
13      the assistance of the Associate Director of OIOS for  
14      Procurement and Contract Integrity, shall undertake  
15      a review of contract procedures to ensure that prac-  
16      tices and policies are in place to ensure that—

17                (A) the United Nations has ceased issuing  
18                single bid contracts except for such contracts  
19                issued during an emergency situation that is  
20                justified by the Under Secretary General for  
21                Management;

22                (B) the United Nations has established ef-  
23                fective controls to prevent conflicts of interest  
24                in the award of contracts; and

1 (C) the United Nations has established ef-  
2 fective procedures and policies to ensure effec-  
3 tive and comprehensive oversight and moni-  
4 toring of United Nations contract performance.

5 (c) CERTIFICATION OF ESTABLISHMENT OF UNITED  
6 NATIONS OFFICE OF ETHICS.—In accordance with sec-  
7 tion 601, a certification shall be required that certifies  
8 that the following reforms related to the establishment of  
9 a United Nations Office of Ethics have been adopted by  
10 the United Nations:

11 (1) A United Nations Office of Ethics (UNOE)  
12 is established. The UNOE shall be an independent  
13 entity within the United Nations and shall not be  
14 subject to budget authority or organizational author-  
15 ity of any entity within the United Nations. The  
16 UNOE shall be responsible for establishing, man-  
17 aging, and enforcing a code of ethics for all employ-  
18 ees of United Nations and its specialized agencies.  
19 The UNOE shall also be responsible for providing  
20 such employees with annual training related to such  
21 code. The head of the UNOE shall be a Director  
22 who shall be nominated by the Secretary General  
23 and who shall be subject to Security Council ap-  
24 proval by majority vote. The UNOE shall promul-  
25 gate ethics rules, including the following:

1           (A) No employee of any United Nations  
2           entity, bureau, division, department, or special-  
3           ized agency may be compensated while partici-  
4           pating in the domestic politics of the country of  
5           such employee, except for voting or acting as  
6           part of a Security Council, General Assembly,  
7           or legitimately authorized United Nations mis-  
8           sion or assignment.

9           (B) No United Nations entity, bureau, di-  
10          vision, department, or specialized agency may  
11          hire an individual convicted in a generally rec-  
12          ognized court of a democratically-elected gov-  
13          ernment with an independent judiciary and an  
14          extradition treaty with the United States and  
15          the European Union for any crime or crimes in-  
16          volving financial misfeasance, malfeasance,  
17          fraud, or perjury.

18          (C) The employment of an employee of any  
19          United Nations entity, bureau, division, depart-  
20          ment, or specialized agency who is convicted in  
21          a generally recognized court of a democrat-  
22          ically-elected government with an independent  
23          judiciary and an extradition treaty with the  
24          United States and the European Union of any  
25          crime or crimes involving financial misfeasance,

1 malfeasance, fraud, or perjury shall be subject  
2 to termination.

3 (D) If an employee of any United Nations  
4 entity, bureau, division, department, or special-  
5 ized agency has contact regarding the disposi-  
6 tion of ongoing internal United Nations oper-  
7 ations or decisions with an individual who is not  
8 an employee or official of the government of a  
9 Member State (or a similarly situated indi-  
10 vidual), with an individual who is not officially  
11 employed by any United Nations entity, bureau,  
12 division, department, or specialized agency, or  
13 with an individual who is not a working mem-  
14 ber of the media, a memorandum of such con-  
15 tact shall be prepared by such employee and,  
16 upon request, be made available to Member  
17 States.

18 (2) The UNEO shall receive operational and  
19 budgetary funding through appropriations by the  
20 General Assembly from existing levels of United Na-  
21 tions budgetary and personnel resources and shall  
22 not be dependent upon any other entity, bureau, di-  
23 vision, department, or specialized agency of the  
24 United Nations for such funding.

1           (3) The Director of the UNEO shall, not later  
2 than 6 months after the date of its establishment,  
3 publish a report containing proposals for imple-  
4 menting a system for the filing and review of indi-  
5 vidual Annual Financial Disclosure Forms by each  
6 employee of the United Nations, including by each  
7 employee of its specialized agencies, at the P-5 level  
8 and above and by all contractors and consultants  
9 compensated at any salary level. Such system shall  
10 be in place and operational not later than 6 months  
11 after the date of the publication of the report. Such  
12 completed forms shall be made available to the Of-  
13 fice of Internal Oversight Services at the request of  
14 the Director of the Office of Internal Oversight  
15 Services. Such system shall seek to identify and pre-  
16 vent conflicts of interest by United Nations employ-  
17 ees and shall be comparable to the system used for  
18 such purposes by the United States Government.  
19 Such report shall also address broader reforms of  
20 the ethics program for the United Nations, includ-  
21 ing—

22                   (A) the effect of the establishment of eth-  
23                   ics officers throughout all organizations within  
24                   the United Nations;

1 (B) the effect of retention by the UNEO of  
2 Annual Financial Disclosure Forms;

3 (C) proposals for making completed An-  
4 nual Financial Disclosure Forms available to  
5 the public on request through their Member  
6 State's mission to the United Nations;

7 (D) proposals for annual disclosure to the  
8 public of information related to the annual sala-  
9 ries and payments, including pension payments  
10 and buyouts, of employees of the United Na-  
11 tions, including employees of its specialized  
12 agencies, and of consultants;

13 (E) proposals for annual disclosure to the  
14 public of information related to per diem rates  
15 for all bureaus, divisions, departments, or spe-  
16 cialized agencies within the United Nations;

17 (F) proposals for disclosure upon request  
18 by the Ambassador of a Member State of infor-  
19 mation related to travel and per diem payments  
20 made from United Nations funds to any person;  
21 and

22 (G) proposals for annual disclosure to the  
23 public of information related to travel and per  
24 diem rates and payments made from United  
25 Nations funds to any person.

1 (d) CERTIFICATION OF UNITED NATIONS ESTAB-  
2 LISHMENT OF POSITION OF CHIEF OPERATING OFFI-  
3 CER.—In accordance with section 601, a certification shall  
4 be required that certifies that the following reforms re-  
5 lated to the establishment of the position of a Chief Oper-  
6 ating Officer have been adopted by the United Nations:

7 (1) There is established the position of Chief  
8 Operating Officer (COO). The COO shall report to  
9 the Secretary General.

10 (2) The COO shall be responsible for formu-  
11 lating general policies and programs for the United  
12 Nations in coordination with the Secretary General  
13 and in consultation with the Security Council and  
14 the General Assembly. The COO shall be responsible  
15 for the daily administration, operation and super-  
16 vision, and the direction and control of the business  
17 of the United Nations. The Chief Operating Officer  
18 shall also perform such other duties and may exer-  
19 cise such other powers as from time to time may be  
20 assigned to the COO by the Secretary General.

21 (e) CERTIFICATION OF ACCESS BY MEMBER STATES  
22 TO REPORTS AND AUDITS BY BOARD OF EXTERNAL  
23 AUDITORS.—In accordance with section 601, a certifi-  
24 cation shall be required that certifies that Member States

1 may, upon request, have access to all reports and audits  
2 completed by the Board of External Auditors.

3 (f) WAIVER OF IMMUNITY.—The President shall di-  
4 rect the United States Permanent Representative to the  
5 United Nations to use the voice, vote, and influence of the  
6 United States at the United Nations to ensure that the  
7 Secretary General exercises the right and duty of the Sec-  
8 retary General under section 20 of the Convention on the  
9 Privileges and Immunities of the United Nations to waive  
10 the immunity of any United Nations official in any case  
11 in which such immunity would impede the course of jus-  
12 tice. In exercising such waiver, the Secretary General is  
13 urged to interpret the interests of the United Nations as  
14 favoring the investigation or prosecution of a United Na-  
15 tions official who is credibly under investigation for having  
16 committed a serious criminal offense or who is credibly  
17 charged with a serious criminal offense.

18 (g) CERTIFICATION OF UNITED NATIONS COOPERA-  
19 TION RELATING TO OIL-FOR-FOOD PROGRAM.—

20 (1) ACTIONS.—In accordance with section 601,  
21 a certification shall be required that certifies that  
22 the following actions relating to the oil-for-food pro-  
23 gram have been taken by the United Nations:

24 (A) The United Nations Secretary General  
25 has authorized the release to a law enforcement

1 authority of any Member State (upon request  
2 by the permanent representative to the United  
3 Nations of such Member State on behalf of  
4 such law enforcement authority) or to a na-  
5 tional legislative authority authentic copies of  
6 any document in the possession of the United  
7 Nations, including any document in the posses-  
8 sion of a person who was engaged on a contract  
9 basis to provide goods or services to the United  
10 Nations, that in the judgment of such request-  
11 ing law enforcement authority or national legis-  
12 lative authority directly or indirectly concerns  
13 the oil-for-food program or a sanction imposed  
14 on Iraq related to the oil-for-food program.

15 (B) The United Nations has waived any  
16 immunity enjoyed by any United Nations offi-  
17 cial from the judicial process in the United  
18 States for any civil or criminal acts or omis-  
19 sions under Federal or State law that may have  
20 transpired within the jurisdiction of the United  
21 States in connection with the oil-for-food pro-  
22 gram.

23 (2) DEFINITION.—As used in this subsection,  
24 the term “oil-for-food program” means the program  
25 established and administered pursuant to United

1 Nations Security Council Resolution 986 (April 14,  
2 1995) and subsequent United Nations resolutions to  
3 permit the sale of petroleum products exported from  
4 Iraq and to use the revenue generated from such  
5 sale for humanitarian assistance.

6 **SEC. 105. TERRORISM AND THE UNITED NATIONS.**

7 The President shall direct the United States Perma-  
8 nent Representative to the United Nations to use the  
9 voice, vote, and influence of the United States at the  
10 United Nations to work toward adoption by the General  
11 Assembly of—

12 (1) a definition of terrorism that builds upon  
13 the recommendations of the Secretary General's  
14 High-Level Panel on Threats, Challenges, and  
15 Change, and includes as an essential component of  
16 such definition any action that is intended to cause  
17 death or serious bodily harm to civilians with the  
18 purpose of intimidating a population or compelling a  
19 government or an international organization to do,  
20 or abstain from doing, any act; and

21 (2) a comprehensive convention on terrorism  
22 that includes the definition described in paragraph  
23 (1).

1 **SEC. 106. UNITED NATIONS TREATY BODIES.**

2 The United States shall withhold from United States  
3 contributions to the regular assessed budget of the United  
4 Nations for a biennial period amounts that are propor-  
5 tional to the percentage of such budget that are expended  
6 with respect to a United Nations human rights treaty  
7 monitoring body or committee that was established by—

8 (1) a convention (without any protocols) or an  
9 international covenant (without any protocols) to  
10 which the United States is not party; or

11 (2) a convention, with a subsequent protocol, if  
12 the United States is a party to neither.

13 **SEC. 107. EQUALITY AT THE UNITED NATIONS.**

14 (a) INCLUSION OF ISRAEL IN WEOG.—

15 (1) IN GENERAL.—The President shall direct  
16 the United States Permanent Representative to the  
17 United Nations to use the voice, vote, and influence  
18 of the United States to expand the Western Euro-  
19 pean and Others Group (WEOG) in the United Na-  
20 tions to include Israel as a permanent member with  
21 full rights and privileges.

22 (2) NOTIFICATION TO CONGRESS.—Not later  
23 than 6 months after the date of the enactment of  
24 this Act and every 6 months thereafter for the next  
25 2 years, the Secretary of State shall notify the ap-  
26 propriate congressional committees concerning the

1 treatment of Israel in the United Nations and the  
2 expansion of WEOG to include Israel as a perma-  
3 nent member.

4 (b) DEPARTMENT OF STATE REVIEW AND RE-  
5 PORT.—

6 (1) IN GENERAL.—To avoid duplicative efforts  
7 and funding with respect to Palestinian interests  
8 and to ensure balance in the approach to Israeli-  
9 Palestinian issues, the Secretary shall, not later than  
10 60 days after the date of the enactment of this  
11 Act—

12 (A) conduct an audit of the functions of  
13 the entities listed in paragraph (2); and

14 (B) submit to the appropriate congres-  
15 sional committees a report containing rec-  
16 ommendations for the elimination of such dupli-  
17 cative entities and efforts.

18 (2) ENTITIES.—The entities referred to in  
19 paragraph (1) are the following:

20 (A) The United Nations Division for Pales-  
21 tinian Rights.

22 (B) The Committee on the Exercise of the  
23 Inalienable Rights of the Palestinian People.

24 (C) The United Nations Special Coordi-  
25 nator for the Middle East Peace Process and

1 Personal Representative to the Palestine Lib-  
2 eration Organization and the Palestinian Au-  
3 thority.

4 (D) The NGO Network on the Question of  
5 Palestine.

6 (E) The Special Committee to Investigate  
7 Israeli Practices Affecting the Human Rights of  
8 the Palestinian People and Other Arabs of the  
9 Occupied Territories.

10 (F) Any other entity the Secretary deter-  
11 mines results in duplicative efforts or funding  
12 or fails to ensure balance in the approach to  
13 Israeli-Palestinian issues.

14 (c) IMPLEMENTATION BY PERMANENT REPRESENTA-  
15 TIVE.—

16 (1) IN GENERAL.—The President shall direct  
17 the United States Permanent Representative to the  
18 United Nations to use the voice, vote, and influence  
19 of the United States at the United Nations to seek  
20 the implementation of the recommendations con-  
21 tained in the report required under subsection  
22 (b)(1).

23 (2) WITHHOLDING OF FUNDS.—Until such rec-  
24 ommendations have been implemented, the United  
25 States shall withhold from United States contribu-

1 tions to the regular assessed budget of the United  
2 Nations for a biennial period amounts that are pro-  
3 portional to the percentage of such budget that are  
4 expended for such entities.

5 (d) GAO AUDIT.—The Comptroller General of the  
6 United States of the Government Accountability Office  
7 shall conduct an audit of—

8 (1) the status of the implementation of the rec-  
9 ommendations contained in the report required  
10 under subsection (b)(1); and

11 (2) United States actions and achievements  
12 under subsection (c).

13 **SEC. 108. REPORT ON UNITED NATIONS REFORM.**

14 (a) IN GENERAL.—Not later than 180 days after the  
15 date of the enactment of this Act, and 1 year thereafter,  
16 the Secretary shall submit to the appropriate congres-  
17 sional committees a report on United Nations reform since  
18 1990.

19 (b) CONTENTS.—The report required under para-  
20 graph (1) shall describe—

21 (1) the status of the implementation of manage-  
22 ment reforms within the United Nations and its spe-  
23 cialized agencies;

1           (2) the number of outputs, reports, or other  
2 items generated by General Assembly resolutions  
3 that have been eliminated;

4           (3) the progress of the General Assembly to  
5 modernize and streamline the committee structure  
6 and its specific recommendations on oversight and  
7 committee outputs, consistent with the March 2005  
8 report of the Secretary General entitled “In larger  
9 freedom: towards development, security and human  
10 rights for all”;

11           (4) the status of the review by the General As-  
12 sembly of all mandates older than 5 years and how  
13 resources have been redirected to new challenges,  
14 consistent with such March 2005 report of the Sec-  
15 retary General;

16           (5) the continued utility and relevance of the  
17 Economic and Financial Committee and the Social,  
18 Humanitarian, and Cultural Committee, in light of  
19 the duplicative agendas of those committees and the  
20 Economic and Social Council; and

21           (6) whether the United Nations or any of its  
22 specialized agencies has contracted with any party  
23 included on the Lists of Parties Excluded from Fed-  
24 eral Procurement and Nonprocurement Programs.

1 **SEC. 109. REPORT ON UNITED NATIONS PERSONNEL.**

2 (a) IN GENERAL.—Not later than 1 year after the  
3 date of the enactment of this Act, the Secretary of State  
4 shall submit to the appropriate congressional committees  
5 a report—

6 (1) concerning the progress of the General As-  
7 sembly to modernize human resource practices, con-  
8 sistent with the March 2005 report of the Secretary  
9 General entitled “In larger freedom: towards devel-  
10 opment, security and human rights for all”; and

11 (2) containing the information described in sub-  
12 section (b).

13 (b) CONTENTS.—The report shall include—

14 (1) a comprehensive evaluation of human re-  
15 sources reforms at the United Nations, including an  
16 evaluation of—

17 (A) tenure;

18 (B) performance reviews;

19 (C) the promotion system;

20 (D) a merit-based hiring system and en-  
21 hanced regulations concerning termination of  
22 employment of employees; and

23 (E) the implementation of a code of con-  
24 duct and ethics training;

25 (2) the implementation of a system of proce-  
26 dures for filing complaints and protective measures

1 for work-place harassment, including sexual harass-  
2 ment;

3 (3) policy recommendations relating to the es-  
4 tablishment of a rotation requirement for non-  
5 administrative positions;

6 (4) policy recommendations relating to the es-  
7 tablishment of a prohibition preventing personnel  
8 and officials assigned to the mission of a Member  
9 State to the United Nations from transferring to a  
10 position within the United Nations Secretariat that  
11 is compensated at the P-5 level and above;

12 (5) policy recommendations relating to a reduc-  
13 tion in travel allowances and attendant oversight  
14 with respect to accommodations and airline flights;  
15 and

16 (6) an evaluation of the recommendations of the  
17 Secretary General relating to greater flexibility for  
18 the Secretary General in staffing decisions to accom-  
19 modate changing priorities.

20 **SEC. 110. REPORT ON UNITED STATES CONTRIBUTIONS TO**  
21 **THE UNITED NATIONS.**

22 Not later than 12 months after the date of the enact-  
23 ment of this Act, the Director of the Office of Manage-  
24 ment and Budget shall submit to the Committee on Inter-  
25 national Relations of the House of Representatives, the

1 Committee on Foreign Relations of the Senate, the Com-  
2 mittee on Appropriations of the House of Representatives,  
3 and the Committee on Appropriations of the Senate a re-  
4 port on United States contributions to the United Nations.  
5 Such report shall examine assessed, voluntary, in-kind,  
6 and all other United States contributions.

7 **SEC. 111. UNITED NATIONS SECURITY COUNCIL AND LEB-**  
8 **ANON.**

9 (a) RESOLUTION 1559.—The President shall direct  
10 the United States Permanent Representative to the  
11 United Nations to use the voice, vote, and influence of the  
12 United States at the United Nations to make every effort  
13 to ensure that the Security Council is undertaking the nec-  
14 essary steps to secure the implementation of Security  
15 Council Resolution 1559, including—

16 (1) deploying United Nations inspectors to  
17 verify and certify to the Security Council that—

18 (A) all foreign forces, including intel-  
19 ligence, security, and policing forces, have been  
20 withdrawn from Lebanon; and

21 (B) all militias in Lebanon have been per-  
22 manently disarmed and dismantled and their  
23 weapons have been decommissioned; and

1           (2) continuing the presence of United Nations  
2 elections monitoring teams in Lebanon to verify and  
3 certify to the Security Council that—

4           (A) citizens of Lebanon are not being tar-  
5 geted for assassination by foreign forces, in  
6 particular by foreign forces of Syria, or by their  
7 proxies, as a means of intimidation and coer-  
8 cion in an effort to manipulate the political  
9 process in Lebanon;

10          (B) elections in Lebanon are being con-  
11 ducted in a fair and transparent manner and  
12 are free of foreign interference; and

13          (C) that such foreign forces, or their prox-  
14 ies, are not seeking to infringe upon the terri-  
15 torial integrity or political sovereignty of Leb-  
16 anon.

17          (b) UNITED STATES ACTION.—If the steps described  
18 in paragraphs (1) and (2) of subsection (a) have not been  
19 verified and certified to the Security Council by July 31,  
20 2005, or by the date that is not later than 30 days after  
21 the date of the enactment of this Act, whichever is sooner,  
22 the President shall direct the United States Permanent  
23 Representative to the United Nations to use the voice,  
24 vote, and influence of the United States at the United Na-  
25 tions to secure the adoption of a resolution in the Security

1 Council imposing punitive measures on the governments  
2 of countries whose forces remain in Lebanon in violation  
3 of Security Council Resolution 1559 and who directly, or  
4 through proxies, are infringing upon the territorial integ-  
5 rity or political sovereignty of Lebanon.

6 **SEC. 112. POLICY WITH RESPECT TO EXPANSION OF THE**  
7 **SECURITY COUNCIL.**

8 It shall be the policy of the United States to use the  
9 voice, vote, and influence of the United States at the  
10 United Nations to oppose any proposals on expansion of  
11 the Security Council if such expansion would—

12 (1) diminish the influence of the United States  
13 on the Security Council;

14 (2) include veto rights for any new members of  
15 the Security Council; or

16 (3) undermine the effectiveness of the Security  
17 Council.

18 **SEC. 113. GENOCIDE AND THE UNITED NATIONS.**

19 (a) UNITED STATES ACTION.—The President shall  
20 direct the United States Permanent Representative to the  
21 United Nations to use the voice, vote, and influence of the  
22 United States at the United Nations to make every effort  
23 to ensure the formal adoption and implementation of  
24 mechanisms to—

1           (1) suspend the membership of a Member State  
2 if it is determined that the government of such  
3 Member State is engaged in or complicit in, either  
4 by commission or omission, acts of genocide, ethnic  
5 cleansing, or crimes against humanity;

6           (2) impose an arms and trade embargo and  
7 travel restrictions on, and freeze the assets of, all  
8 groups and individuals responsible for committing or  
9 allowing such acts of genocide, ethnic cleansing, or  
10 crimes against humanity to occur;

11          (3) deploy a United Nations peacekeeping oper-  
12 ation or authorize and support the deployment of a  
13 peacekeeping operation from an international or re-  
14 gional organization to the Member State with a  
15 mandate to stop such acts of genocide, ethnic cleans-  
16 ing, or crimes against humanity;

17          (4) deploy monitors from the United Nations  
18 High Commissioner for Refugees to the area in the  
19 Member State where such acts of genocide, ethnic  
20 cleansing, or crimes against humanity are occurring;  
21 and

22          (5) authorize the establishment of an inter-  
23 national commission of inquiry into such acts of  
24 genocide, ethnic cleansing, or crimes against human-  
25 ity.

1 (b) CERTIFICATION.—In accordance with section  
2 601, a certification shall be required that certifies that the  
3 mechanisms described in subsection (a) have been adopted  
4 and implemented.

5 **SEC. 114. ANTI-SEMITISM AND THE UNITED NATIONS.**

6 (a) IN GENERAL.—The President shall direct the  
7 United States Permanent Representative to the United  
8 Nations to use the voice, vote, and influence of the United  
9 States at the United Nations to make every effort to—

10 (1) ensure the issuance and implementation of  
11 a directive by the Secretary General or the Secre-  
12 tariat, as appropriate, that—

13 (A) requires all employees of the United  
14 Nations and its specialized agencies to officially  
15 and publicly condemn anti-Semitic statements  
16 made at any session of the United Nations or  
17 its specialized agencies, or at any other session  
18 sponsored by the United Nations;

19 (B) requires employees of the United Na-  
20 tions and its specialized agencies to be subject  
21 to punitive action, including immediate dis-  
22 missal, for making anti-Semitic statements or  
23 references;

24 (C) proposes specific recommendations to  
25 the General Assembly for the establishment of

1 mechanisms to hold accountable employees and  
2 officials of the United Nations and its special-  
3 ized agencies, or Member States, that make  
4 such anti-Semitic statements or references in  
5 any forum of the United Nations or of its spe-  
6 cialized agencies; and

7 (D) develops and implements education  
8 awareness programs about the Holocaust and  
9 anti-Semitism throughout the world, as part of  
10 an effort to combat intolerance and hatred;

11 (2) work to secure the adoption of a resolution  
12 by the General Assembly that establishes the mecha-  
13 nisms described in paragraph (1)(C); and

14 (3) continue working toward further reduction  
15 of anti-Semitic language and anti-Israel resolutions  
16 in the United Nations and its specialized agencies.

17 (b) CERTIFICATION.—In accordance with section  
18 601, a certification shall be required that certifies that the  
19 requirements described in subsection (a) have been satis-  
20 fied.

1 **TITLE II—HUMAN RIGHTS AND**  
2 **THE ECONOMIC AND SOCIAL**  
3 **COUNCIL (ECOSOC)**

4 **SEC. 201. HUMAN RIGHTS.**

5 (a) STATEMENT OF POLICY.—It shall be the policy  
6 of the United States to use its voice, vote, and influence  
7 at the United Nations to ensure that a credible and re-  
8 spectable Human Rights Council or other human rights  
9 body is established within the United Nations whose par-  
10 ticipating Member States uphold the values embodied in  
11 the Universal Declaration of Human Rights.

12 (b) HUMAN RIGHTS REFORMS AT THE UNITED NA-  
13 TIONS.—The President shall direct the United States Per-  
14 manent Representative to the United Nations to ensure  
15 that the following human rights reforms have been adopt-  
16 ed by the United Nations:

17 (1) A Member State that fails to uphold the  
18 values embodied in the Universal Declaration of  
19 Human Rights shall be ineligible for membership on  
20 any United Nations human rights body.

21 (2) A Member State shall be ineligible for mem-  
22 bership on any United Nations human rights body  
23 if such Member State is—

24 (A) subject to sanctions by the Security  
25 Council; or

1 (B) under a Security Council-mandated in-  
2 vestigation for human rights abuses.

3 (3) A Member State that is currently subject to  
4 an adopted country specific resolution, in the prin-  
5 cipal body in the United Nations for the promotion  
6 and protection of human rights, relating to human  
7 rights abuses perpetrated by the government of such  
8 country in such country, or has been the subject of  
9 such an adopted country specific resolution in such  
10 principal body within the previous 3 years, shall be  
11 ineligible for membership on any United Nations  
12 human rights body. For purposes of this subsection,  
13 an adopted country specific resolution shall not in-  
14 clude consensus resolutions on advisory services.

15 (4) A Member State that violates the principles  
16 of a United Nations human rights body to which it  
17 aspires to join shall be ineligible for membership on  
18 such body.

19 (5) No human rights body has a standing agen-  
20 da item that relates only to one country or region.

21 (6) The practice of considering in the principal  
22 body in the United Nations for the promotion and  
23 protection of human rights country specific resolu-  
24 tions relating to human rights abuses perpetrated by

1 the government of a Member State within such  
2 Member State shall not be eliminated.

3 (c) CERTIFICATION.—In accordance with section  
4 601, a certification shall be required that certifies that the  
5 human rights reforms described under subsection (b) have  
6 been adopted by the United Nations.

7 (d) PREVENTION OF ABUSE OF “NO ACTION” MO-  
8 TIONS.—The United States Permanent Representative  
9 shall work to prevent abuse of “no action” motions, par-  
10 ticularly as such motions relate to country specific resolu-  
11 tions.

12 (e) OFFICE OF THE UNITED NATIONS HIGH COMMIS-  
13 SIONER FOR HUMAN RIGHTS.—

14 (1) STATEMENT OF POLICY.—It shall be the  
15 policy of the United States to continue to strongly  
16 support the Office of the United Nations High Com-  
17 missioner for Human Rights.

18 (2) CERTIFICATION.—In accordance with sec-  
19 tion 601, a certification shall be required that cer-  
20 tifies that the Office of the United Nations High  
21 Commissioner for Human Rights has been given  
22 greater authority in field operation activities, such  
23 as in the Darfur region of Sudan and in the Demo-  
24 cratic Republic of the Congo, in furtherance of the  
25 purpose and mission of the United Nations.

1 (f) PROHIBITION ON CONTACT WITH MEMBER  
2 STATES SUBJECT TO SANCTIONS.—An employee from of  
3 any United Nations entity, bureau, division, department,  
4 or specialized agency may not have unauthorized contact,  
5 including business contact, with a Member State that is  
6 subject to United Nations sanctions.

7 **SEC. 202. ECONOMIC AND SOCIAL COUNCIL (ECOSOC).**

8 (a) STATEMENT OF POLICY.—It shall be the policy  
9 of the United States to use its voice, vote, and influence  
10 at the United Nations to—

11 (1) abolish secret voting in the Economic and  
12 Social Council (ECOSOC);

13 (2) ensure that, until such time as the Commis-  
14 sion on Human Rights of the United Nations is  
15 abolished, only countries that are not ineligible for  
16 membership on a human rights body in accordance  
17 with paragraph (1) through (4) of section 201(b)  
18 shall be considered for membership on the Commis-  
19 sion on Human Rights; and

20 (3) ensure that after candidate countries are  
21 nominated for membership on the Commission on  
22 Human Rights, the Economic and Social Council  
23 conducts a recorded vote to determine such member-  
24 ship.

1 (b) CERTIFICATION.—In accordance with section  
2 601, a certification shall be required that certifies that the  
3 policies described in subsection (a) have been implemented  
4 by the Economic and Social Council.

5 **SEC. 203. UNITED NATIONS DEMOCRACY FUND.**

6 (a) IN GENERAL.—The President shall direct the  
7 United States Permanent Representative to the United  
8 Nations to use the voice, vote, and influence of the United  
9 States at the United Nations to make every effort to—

10 (1) establish a Democracy Fund at the United  
11 Nations to be administered by Member States of the  
12 United Nations Democracy Caucus;

13 (2) secure political and financial support for the  
14 Democracy Fund from Member States of the United  
15 Nations Democracy Caucus; and

16 (3) establish criteria that limits recipients of as-  
17 sistance from the Democracy Fund to Member  
18 States that—

19 (A) are not ineligible for membership on  
20 any United Nations human rights body, in ac-  
21 cordance with paragraphs (1) through (4) of  
22 section 201(b); and

23 (B) are determined by the Secretary of  
24 State to be emerging democracies or democ-  
25 racies in transition.

1 (b) POLICY RELATING TO FUNDING FOR THE DE-  
2 MOCRACY FUND.—It shall be the policy of the United  
3 States to shift contributions of the United States to the  
4 regularly assessed budget of the United Nations for a bi-  
5 ennial period to initiate and support the Democracy Fund  
6 referred to in subsection (a).

7 (c) CERTIFICATION.—In accordance with section  
8 601, a certification shall be required that certifies that the  
9 requirements described in subsection (a) have been satis-  
10 fied.

## 11 **TITLE III—INTERNATIONAL** 12 **ATOMIC ENERGY AGENCY**

### 13 **SEC. 301. INTERNATIONAL ATOMIC ENERGY AGENCY.**

14 (a) ENFORCEMENT AND COMPLIANCE.—

15 (1) OFFICE OF COMPLIANCE.—

16 (A) ESTABLISHMENT.—The President  
17 shall direct the United States Permanent Rep-  
18 resentative to International Atomic Energy  
19 Agency (IAEA) to use the voice, vote, and influ-  
20 ence of the United States at the IAEA to estab-  
21 lish an Office of Compliance in the Secretariat  
22 of the IAEA.

23 (B) OPERATION.—The Office of Compli-  
24 ance shall—

1 (i) function as an independent body  
2 composed of technical experts who shall  
3 work in consultation with IAEA inspectors  
4 to assess compliance by IAEA Member  
5 States and provide recommendations to the  
6 IAEA Board of Governors concerning pen-  
7 alties to be imposed on IAEA Member  
8 States that fail to fulfill their obligations  
9 under IAEA Board resolutions;

10 (ii) base its assessments and rec-  
11 ommendations on IAEA inspection reports;  
12 and

13 (iii) shall take into consideration in-  
14 formation provided by IAEA Board Mem-  
15 bers that are one of the five nuclear weap-  
16 ons states as recognized by the Treaty on  
17 the Non-Proliferation of Nuclear Weapons  
18 (21 UST 483) (commonly referred to as  
19 the “Nuclear Nonproliferation Treaty” or  
20 the “NPT”).

21 (C) STAFFING.—The Office of Compliance  
22 shall be staffed from existing personnel in the  
23 Department of Safeguards of the IAEA or the  
24 Department of Nuclear Safety and Security of  
25 the IAEA.

1           (2) SPECIAL COMMITTEE ON SAFEGUARDS AND  
2 VERIFICATION.—

3           (A) ESTABLISHMENT.—The President  
4 shall direct the United States Permanent Rep-  
5 resentative to the IAEA to use the voice, vote,  
6 and influence of the United States at the IAEA  
7 to establish a Special Committee on Safeguards  
8 and Verification.

9           (B) RESPONSIBILITIES.—The Special  
10 Committee shall—

11           (i) improve the ability of the IAEA to  
12 monitor and enforce compliance by Mem-  
13 ber States of the IAEA with the Nuclear  
14 Nonproliferation Treaty and the Statute of  
15 the International Atomic Energy Agency;  
16 and

17           (ii) consider which additional meas-  
18 ures are necessary to enhance the ability of  
19 the IAEA, beyond the verification mecha-  
20 nisms and authorities contained in the Ad-  
21 ditional Protocol to the Safeguards Agree-  
22 ments between the IAEA and Member  
23 States of the IAEA, to detect with a high  
24 degree of confidence undeclared nuclear ac-  
25 tivities by a Member State.

1 (3) PENALTIES WITH RESPECT TO THE IAEA.—

2 (A) IN GENERAL.—The President shall di-  
3 rect the United States Permanent Representa-  
4 tive to the IAEA to use the voice, vote, and in-  
5 fluence of the United States at the IAEA to en-  
6 sure that a Member State of the IAEA that is  
7 under investigation for a breach of or non-  
8 compliance with its IAEA obligations or the  
9 purposes and principles of the Charter of the  
10 United Nations has its privileges suspended, in-  
11 cluding—

12 (i) limiting its ability to vote on its  
13 case;

14 (ii) being prevented from receiving  
15 any technical assistance; and

16 (iii) being prevented from hosting  
17 meetings.

18 (B) TERMINATION OF PENALTIES.—The  
19 penalties specified under subparagraph (A)  
20 shall be terminated when such investigation is  
21 concluded and such Member State is no longer  
22 in such breach or noncompliance.

23 (4) PENALTIES WITH RESPECT TO THE NU-  
24 CLEAR NONPROLIFERATION TREATY.—The Presi-  
25 dent shall direct the United States Permanent Rep-

1       representative to the IAEA to use the voice, vote, and  
2       influence of the United States at the IAEA to en-  
3       sure that a Member State of the IAEA that is found  
4       to be in breach of, in noncompliance with, or has  
5       withdrawn from the Nuclear Nonproliferation Treaty  
6       shall return to the IAEA all nuclear materials and  
7       technology received from the IAEA, any Member  
8       State of the IAEA, or any Member State of the Nu-  
9       clear Nonproliferation Treaty.

10       (b) UNITED STATES CONTRIBUTIONS.—

11             (1) VOLUNTARY CONTRIBUTIONS.—Voluntary  
12       contributions of the United States to the IAEA  
13       should primarily be used to fund activities relating  
14       to Nuclear Safety and Security or activities relating  
15       to Nuclear Verification.

16             (2) LIMITATION ON USE OF FUNDS.—The  
17       President shall direct the United States Permanent  
18       Representative to the IAEA to use the voice, vote,  
19       and influence of the United States at the IAEA to—

20                (A) ensure that funds for safeguards in-  
21       spections are prioritized for countries that have  
22       newly established nuclear programs or are initi-  
23       ating nuclear programs; and

24                (B) block the allocation of funds for any  
25       other IAEA development, environmental, or nu-

1 clear science assistance or activity to a coun-  
2 try—

3 (i) the government of which the Sec-  
4 retary of State has determined, for pur-  
5 poses of section 6(j) of the Export Admin-  
6 istration Act of 1979, section 620A of the  
7 Foreign Assistance Act of 1961, section 40  
8 of the Arms Export Control Act, or other  
9 provision of law, is a government that has  
10 repeatedly provided support for acts of  
11 international terrorism and the government  
12 of which the Secretary has determined has  
13 not dismantled and surrendered its weap-  
14 ons of mass destruction programs under  
15 international verification;

16 (ii) that is under investigation for a  
17 breach of or noncompliance with its IAEA  
18 obligations or the purposes and principles  
19 of the Charter of the United Nations; or

20 (iii) that is in violation of its IAEA  
21 obligations or the purposes and principles  
22 of the Charter of the United Nations.

23 (3) **DETAIL OF EXPENDITURES.**—The Presi-  
24 dent shall direct the United States Permanent Rep-  
25 resentative to the IAEA to use the voice, vote, and

1 influence of the United States at the IAEA to se-  
2 cure, as part of the regular budget presentation of  
3 the IAEA to Member States of the IAEA, a detailed  
4 breakdown by country of expenditures of the IAEA  
5 for safeguards inspections and nuclear security ac-  
6 tivities.

7 (c) MEMBERSHIP.—

8 (1) IN GENERAL.—The President shall direct  
9 the United States Permanent Representative to the  
10 IAEA to use the voice, vote, and influence of the  
11 United States at the IAEA to block the membership  
12 on the Board of Governors of the IAEA for a Mem-  
13 ber State of the IAEA that has not signed and rati-  
14 fied the Additional Protocol and—

15 (A) is under investigation for a breach of  
16 or noncompliance with its IAEA obligations or  
17 the purposes and principles of the Charter of  
18 the United Nations; or

19 (B) that is in violation of its IAEA obliga-  
20 tions or the purposes and principles of the  
21 Charter of the United Nations.

22 (2) CRITERIA.—The United States Permanent  
23 Representative to the IAEA shall make every effort  
24 to modify the criteria for Board membership to re-  
25 flect the principles described in paragraph (1).

1 (d) SMALL QUANTITIES PROTOCOL.—The President  
2 shall direct the United States Permanent Representative  
3 to the IAEA to use the voice, vote, and influence of the  
4 United States at the IAEA to make every effort to ensure  
5 that the IAEA changes the policy regarding the Small  
6 Quantities Protocol in order to—

7 (1) rescind and eliminate the Small Quantities  
8 Protocol;

9 (2) require that any IAEA Member State that  
10 has previously signed a Small Quantities Protocol to  
11 sign, ratify, and implement the Additional Protocol,  
12 provide immediate access for IAEA inspectors to its  
13 nuclear-related facilities, and agree to the strongest  
14 inspections regime of its nuclear efforts; and

15 (3) require that any IAEA Member State that  
16 does not comply with paragraph (2) to be ineligible  
17 to receive nuclear material, technology, equipment,  
18 or assistance from any IAEA Member State and  
19 subject to the penalties described in section  
20 301(a)(3).

21 (e) NUCLEAR PROGRAM OF IRAN.—

22 (1) UNITED STATES ACTION.—The President  
23 shall direct the United States Permanent Represent-  
24 ative to the IAEA to use the voice, vote, and influ-  
25 ence of the United States at the IAEA to make

1 every effort to ensure the adoption of a resolution by  
2 the IAEA Board of Governors that makes Iran ineli-  
3 gible to receive any nuclear material, technology,  
4 equipment, or assistance from any IAEA Member  
5 State and ineligible for any IAEA assistance not re-  
6 lated to safeguards inspections or nuclear security  
7 until the IAEA Board of Governors determines that  
8 Iran—

9 (A) is providing full access to IAEA in-  
10 spectors to its nuclear-related facilities;

11 (B) has fully implemented and is in com-  
12 pliance with the Additional Protocol; and

13 (C) has permanently ceased and disman-  
14 tled all activities and programs related to nu-  
15 clear-enrichment and reprocessing.

16 (2) PENALTIES.—If an IAEA Member State is  
17 determined to have violated the prohibition on as-  
18 sistance to Iran described in paragraph (1) before  
19 the IAEA Board of Governors determines that Iran  
20 has satisfied the conditions described in subpara-  
21 graphs (A) through (C) of such paragraph, such  
22 Member State shall be subject to the penalties de-  
23 scribed in section 301(a)(3), shall be ineligible to re-  
24 ceive nuclear material, technology, equipment, or as-  
25 sistance from any IAEA Member State, and shall be

1 ineligible to receive any IAEA assistance not related  
2 to safeguards inspections or nuclear security until  
3 such time as the IAEA Board of Governors makes  
4 such determination with respect to Iran.

5 (f) REPORT.—Not later than 6 months after the date  
6 of the enactment of this Act and annually for 2 years  
7 thereafter, the President shall submit to the appropriate  
8 congressional committees a report on the implementation  
9 of this section.

10 **SEC. 302. SENSE OF CONGRESS REGARDING THE NUCLEAR**  
11 **SECURITY ACTION PLAN OF THE IAEA.**

12 It is the sense of Congress that the national security  
13 interests of the United States are enhanced by the Nuclear  
14 Security Action Plan of the IAEA and the Board of Gov-  
15 ernors should recommend, and the General Conference  
16 should adopt, a resolution incorporating the Nuclear Secu-  
17 rity Action Plan into the regular budget of the IAEA.

18 **TITLE IV—PEACEKEEPING**

19 **SEC. 401. SENSE OF CONGRESS REGARDING REFORM OF**  
20 **UNITED NATIONS PEACEKEEPING OPER-**  
21 **ATIONS.**

22 It is the sense of Congress that—

23 (1) although United Nations peacekeeping oper-  
24 ations have contributed greatly toward the pro-  
25 motion of peace and stability for the past 57 years

1 and the majority of peacekeeping personnel who  
2 have served under the United Nations flag have  
3 done so with honor and courage, the record of  
4 United Nations peacekeeping has been severely tar-  
5 nished by operational failures and unconscionable  
6 acts of misconduct; and

7 (2) if the reputation of and confidence in  
8 United Nations peacekeeping operations is to be re-  
9 stored, fundamental and far-reaching reforms, par-  
10 ticularly in the areas of planning, management,  
11 training, conduct, and discipline, must be imple-  
12 mented without delay.

13 **SEC. 402. STATEMENT OF POLICY RELATING TO REFORM**  
14 **OF UNITED NATIONS PEACEKEEPING OPER-**  
15 **ATIONS.**

16 It shall be the policy of the United States to pursue  
17 reform of United Nations peacekeeping operations in the  
18 following areas:

19 (1) **PLANNING AND MANAGEMENT.**—

20 (A) **GLOBAL AUDIT.**—As the size, cost,  
21 and number of United Nations peacekeeping  
22 operations have increased substantially over the  
23 past decade, an independent audit of each such  
24 operation, with a view toward “right-sizing” op-  
25 erations and ensuring that such operations are

1 cost effective, should be conducted and its find-  
2 ings reported to the Security Council.

3 (B) REVIEW OF MANDATES AND CLOSING  
4 OPERATIONS.—In conjunction with the audit  
5 described in subparagraph (A), the United Na-  
6 tions Department of Peacekeeping Operations  
7 should conduct a comprehensive review of all  
8 United Nations peacekeeping operation man-  
9 dates, with a view toward identifying objectives  
10 that are practical and achievable, and report its  
11 findings to the Security Council. In particular,  
12 the review should consider the following:

13 (i) Activities that fall beyond the  
14 scope of traditional peacekeeping activities  
15 should be delegated to a new Peacebuilding  
16 Commission, described in paragraph (3).

17 (ii) Long-standing operations that are  
18 static and cannot fulfill their mandate  
19 should be downsized or closed.

20 (iii) Where there is legitimate concern  
21 that the withdrawal from a country of an  
22 otherwise static United Nations peace-  
23 keeping operation would result in the re-  
24 sumption of major conflict, a burden-shar-  
25 ing arrangement that reduces the level of

1           assessed contributions, similar to that cur-  
2           rently supporting the United Nations  
3           Peacekeeping Force in Cyprus, should be  
4           explored and instituted.

5           (C) LEADERSHIP.—As peacekeeping oper-  
6           ations become larger and increasingly complex,  
7           the Secretariat should adopt a minimum stand-  
8           ard of qualifications for senior leaders and  
9           managers, with particular emphasis on specific  
10          skills and experience, and current senior leaders  
11          and managers who do not meet those standards  
12          should be removed or reassigned.

13          (D) PRE-DEPLOYMENT TRAINING.—Pre-  
14          deployment training on interpretation of the  
15          mandate of the operation, specifically in the  
16          areas of use of force, civilian protection and  
17          field conditions, the Code of Conduct, HIV/  
18          AIDS, and human rights should be mandatory,  
19          and all personnel, regardless of category or  
20          rank, should be required to sign an oath that  
21          each has received and understands such train-  
22          ing as a condition of participation in the oper-  
23          ation.

24          (E) GRATIS MILITARY PERSONNEL.—The  
25          General Assembly should lift restrictions on the

1 utilization at the headquarters in New York,  
2 the United States, of the Department of Peace-  
3 keeping Operations of gratis military personnel  
4 by the Department so that the Department may  
5 accept secondments from Member States of  
6 military personnel with expertise in mission  
7 planning, logistics, and other operational spe-  
8 cialties.

9 (2) CONDUCT AND DISCIPLINE.—

10 (A) ADOPTION OF A UNIFORM CODE OF  
11 CONDUCT.—A single, uniform Code of Conduct  
12 that has the status of a binding rule and ap-  
13 plies equally to all personnel serving in United  
14 Nations peacekeeping operations, regardless of  
15 category or rank, should be promulgated, adopt-  
16 ed, and enforced.

17 (B) UNDERSTANDING THE CODE OF CON-  
18 DUCT.—All personnel, regardless of category or  
19 rank, should receive training on the Code of  
20 Conduct prior to deployment with a peace-  
21 keeping operation, in addition to periodic fol-  
22 low-on training. In particular—

23 (i) all personnel, regardless of cat-  
24 egory or rank, should be provided with a  
25 personal copy of the Code of Conduct that

1 has been translated into the national lan-  
2 guage of such personnel, regardless of  
3 whether such language is an official lan-  
4 guage of the United Nations;

5 (ii) all personnel, regardless of cat-  
6 egory or rank, should sign an oath that  
7 each has received a copy of the Code of  
8 Conduct, that each pledges to abide by the  
9 Code of Conduct, and that each under-  
10 stands the consequences of violating the  
11 Code of Conduct, including immediate ter-  
12 mination of the participation of such per-  
13 sonnel in the peacekeeping operation to  
14 which such personnel is assigned as a con-  
15 dition of appointment to such operation;  
16 and

17 (iii) peacekeeping operations should  
18 conduct educational outreach programs to  
19 reach local communities where peace-  
20 keeping personnel of such operations are  
21 based, including explaining prohibited acts  
22 on the part of United Nations peace-  
23 keeping personnel and identifying the indi-  
24 vidual to whom the local population may  
25 direct complaints or file allegations of ex-

1           exploitation, abuse, or other acts of mis-  
2           conduct.

3           (C) MONITORING MECHANISMS.—Dedi-  
4           cated monitoring mechanisms, such as the Per-  
5           sonnel Conduct Units already deployed to sup-  
6           port United Nations peacekeeping operations in  
7           Haiti, Liberia, Burundi, and the Democratic  
8           Republic of Congo, should be present in each  
9           operation to monitor compliance with the Code  
10          of Conduct, and—

11           (i) should report simultaneously to the  
12           Head of Mission, the United Nations De-  
13           partment of Peacekeeping Operations, and  
14           the Associate Director of OIOS for Peace-  
15           keeping Operations (established under sec-  
16           tion 104(b)(10)); and

17           (ii) should be tasked with designing  
18           and implementing mission-specific meas-  
19           ures to prevent misconduct, conduct follow-  
20           on training for personnel, coordinate com-  
21           munity outreach programs, and assist in  
22           investigations, as OIOS determines nec-  
23           essary and appropriate.

24           (D) INVESTIGATIONS.—A permanent, pro-  
25           fessional, and independent investigative body

1 should be established and introduced into  
2 United Nations peacekeeping operations. In  
3 particular—

4 (i) the investigative body should in-  
5 clude professionals with experience in in-  
6 vestigating sex crimes, as well as experts  
7 who can provide guidance on standards of  
8 proof and evidentiary requirements nec-  
9 essary for any subsequent legal action;

10 (ii) provisions should be included in a  
11 Model Memorandum of Understanding  
12 that obligate Member States that con-  
13 tribute troops to a peacekeeping operation  
14 to designate a military prosecutor who will  
15 participate in any investigation into an al-  
16 legation of misconduct brought against an  
17 individual of such Member State, so that  
18 evidence is collected and preserved in a  
19 manner consistent with the military law of  
20 such Member State;

21 (iii) the investigative body should be  
22 regionally based to ensure rapid deploy-  
23 ment and should be equipped with modern  
24 forensics equipment for the purpose of  
25 positively identifying perpetrators and,

1 where necessary, for determining paternity;

2 and

3 (iv) the investigative body should re-  
4 port directly to the Associate Director of  
5 OIOS for Peacekeeping Operations, while  
6 providing copies of any reports to the De-  
7 partment of Peacekeeping Operations, the  
8 Head of Mission, and the Member State  
9 concerned.

10 (E) FOLLOW-UP.—A dedicated unit, simi-  
11 lar to the Personnel Conduct Units, staffed and  
12 funded through existing resources, should be es-  
13 tablished within the headquarters of the United  
14 Nations Department of Peacekeeping Oper-  
15 ations and tasked with—

16 (i) promulgating measures to prevent  
17 misconduct;

18 (ii) coordinating allegations of mis-  
19 conduct, and reports received by field per-  
20 sonnel; and

21 (iii) gathering follow-up information  
22 on completed investigations, particularly by  
23 focusing on disciplinary actions against the  
24 individual concerned taken by the United  
25 Nations or by the Member State that is

1 contributing troops to which such indi-  
2 vidual belongs, and sharing such informa-  
3 tion with the Security Council, the Head of  
4 Mission, and the community hosting the  
5 peacekeeping operation.

6 (F) FINANCIAL LIABILITY AND VICTIMS  
7 ASSISTANCE.—Although peacekeeping oper-  
8 ations should provide immediate medical assist-  
9 ance to victims of sexual abuse or exploitation,  
10 the responsibility for providing longer-term  
11 treatment, care, or restitution lies solely with  
12 the individual found guilty of the misconduct.  
13 In particular, the following reforms should be  
14 implemented:

15 (i) The United Nations should not as-  
16 sume responsibility for providing long-term  
17 treatment or compensation by creating a  
18 “Victims Trust Fund”, or any other such  
19 similar fund, financed through assessed  
20 contributions to United Nations peace-  
21 keeping operations, thereby shielding indi-  
22 viduals from personal liability and rein-  
23 forcing an atmosphere of impunity.

24 (ii) If an individual responsible for  
25 misconduct has been repatriated, reas-

1 signed, redeployed, or is otherwise unable  
2 to provide assistance, responsibility for  
3 providing assistance to a victim should be  
4 assigned to the Member State that contrib-  
5 uted the troops to which such individual  
6 belonged or to the manager concerned.

7 (iii) In the case of misconduct by a  
8 member of a military contingent, appro-  
9 priate funds shall be withheld from the  
10 troop contributing country concerned.

11 (iv) In the case of misconduct by a ci-  
12 vilian employee or contractor of the United  
13 Nations, appropriate wages shall be gar-  
14 nished from such individual or fines shall  
15 be imposed against such individual, con-  
16 sistent with existing United Nations Staff  
17 Rules.

18 (G) MANAGERS AND COMMANDERS.—The  
19 manner in which managers and commanders  
20 handle cases of misconduct by those serving  
21 under them should be included in their indi-  
22 vidual performance evaluations, so that man-  
23 agers and commanders who take decisive action  
24 to deter and address misconduct are rewarded,  
25 while those who create a permissive environ-

1           ment or impede investigations are penalized or  
2           relieved of duty, as appropriate.

3           (H) DATA BASE.—A centralized data base  
4           should be created and maintained within the  
5           United Nations Department of Peacekeeping  
6           Operations to track cases of misconduct, includ-  
7           ing the outcome of investigations and subse-  
8           quent prosecutions, to ensure that personnel  
9           who have engaged in misconduct or other crimi-  
10          nal activities, regardless of category or rank,  
11          are permanently barred from participation in  
12          future peacekeeping operations.

13          (I) WELFARE.—Peacekeeping operations  
14          should assume responsibility for maintaining a  
15          minimum standard of welfare for mission per-  
16          sonnel to ameliorate conditions of service, while  
17          adjustments are made to the discretionary wel-  
18          fare payments currently provided to Member  
19          States that contribute troops to offset the cost  
20          of operation-provided recreational facilities.

21          (3) PEACEBUILDING COMMISSION.—

22                 (A) ESTABLISHMENT.—Consistent with  
23                 the recommendations of the High Level Panel  
24                 Report, the United Nations should establish a  
25                 Peacebuilding Commission, supported by a

1 Peacebuilding Support Office, to marshal the  
2 efforts of the United Nations, international fi-  
3 nancial institutions, donors, and non-govern-  
4 mental organizations to assist countries in tran-  
5 sition from war to peace.

6 (B) STRUCTURE AND MEMBERSHIP.—The  
7 Commission should—

8 (i) be a subsidiary body of the United  
9 Nations Security Council, limited in size to  
10 ensure efficiency;

11 (ii) include members of the United  
12 Nations Security Council, major donors,  
13 major troop contributing countries, appro-  
14 priate United Nations organizations, the  
15 World Bank, and the International Mone-  
16 tary Fund; and

17 (iii) invite the President of ECOSOC,  
18 regional actors, Member States that con-  
19 tribute troops, regional development banks,  
20 and other concerned parties that are not  
21 already members, as determined appro-  
22 priate, to consult or participate in meet-  
23 ings as observers.

24 (C) RESPONSIBILITIES.—The Commission  
25 should seek to ease the demands currently

1 placed upon the Department of Peacekeeping  
2 Operations to undertake tasks that fall beyond  
3 the scope of traditional peacekeeping, by—

4 (i) developing and integrating coun-  
5 try-specific and system-wide conflict pre-  
6 vention, post-conflict reconstruction, and  
7 long-term development policies and strate-  
8 gies; and

9 (ii) serving as the key coordinating  
10 body for the design and implementation of  
11 military, humanitarian, and civil adminis-  
12 tration aspects of complex missions.

13 (D) RESOURCES.—The establishment of  
14 the Peacebuilding Commission and the related  
15 Peacebuilding Support Office, should be staffed  
16 within existing resources.

17 **SEC. 403. CERTIFICATION.**

18 (a) NEW OR EXPANDED PEACEKEEPING OPER-  
19 ATIONS CONTINGENT UPON PRESIDENTIAL CERTIFI-  
20 CATION OF PEACEKEEPING OPERATIONS REFORMS.—

21 (1) NO NEW OR EXPANDED PEACEKEEPING OP-  
22 ERATIONS.—

23 (A) CERTIFICATION.—Except as provided  
24 in subparagraph (B), until the Secretary of  
25 State certifies that the requirements described

1 in paragraph (2) have been satisfied, the Presi-  
2 dent shall direct the United States Permanent  
3 Representative to the United Nations to use the  
4 voice, vote, and influence of the United States  
5 at the United Nations to oppose the creation of  
6 new, or expansion of existing, United Nations  
7 peacekeeping operations.

8 (B) EXCEPTION AND NOTIFICATION.—The  
9 requirements described under subparagraphs  
10 (F) and (G) of paragraph (2) may be waived  
11 until January 1, 2007, if the President deter-  
12 mines that such is in the national interest of  
13 the United States. If the President makes such  
14 a determination, the President shall, not later  
15 than 15 days before the exercise of such waiver,  
16 notify the appropriate congressional committees  
17 of such determination and resulting waiver.

18 (2) CERTIFICATION OF PEACEKEEPING OPER-  
19 ATIONS REFORMS.—The certification referred to in  
20 paragraph (1) is a certification made by the Sec-  
21 retary to the appropriate congressional committees  
22 that the following reforms, or an equivalent set of  
23 reforms, related to peacekeeping operations have  
24 been adopted by the United Nations Department of

1 Peacekeeping Operations or the General Assembly,  
2 as appropriate:

3 (A) A single, uniform Code of Conduct  
4 that has the status of a binding rule and ap-  
5 plies equally to all personnel serving in United  
6 Nations peacekeeping operations, regardless of  
7 category or rank, has been adopted by the Gen-  
8 eral Assembly and mechanisms have been estab-  
9 lished for training such personnel concerning  
10 the requirements of the Code and enforcement  
11 of the Code.

12 (B) All personnel, regardless of category or  
13 rank, serving in a peacekeeping operation have  
14 been trained concerning the requirements of the  
15 Code of Conduct and each has been given a per-  
16 sonal copy of the Code, translated into the na-  
17 tional language of such personnel.

18 (C) All personnel, regardless of category or  
19 rank, are required to sign an oath that each has  
20 received a copy of the Code of Conduct, that  
21 each pledges to abide by the Code, and that  
22 each understands the consequences of violating  
23 the Code, including the immediate termination  
24 of the participation of such personnel in the  
25 peacekeeping operation to which such personnel

1 is assigned as a condition of the appointment to  
2 such operation.

3 (D) All peacekeeping operations have de-  
4 signed and implemented educational outreach  
5 programs to reach local communities where  
6 peacekeeping personnel of such operations are  
7 based to explain prohibited acts on the part of  
8 United Nations peacekeeping personnel and to  
9 identify the individual to whom the local popu-  
10 lation may direct complaints or file allegations  
11 of exploitation, abuse, or other acts of mis-  
12 conduct.

13 (E) A centralized data base has been cre-  
14 ated and is being maintained in the United Na-  
15 tions Department of Peacekeeping Operations  
16 that tracks cases of misconduct, including the  
17 outcomes of investigations and subsequent pros-  
18 ecutions, to ensure that personnel, regardless of  
19 category or rank, who have engaged in mis-  
20 conduct or other criminal activities are perma-  
21 nently barred from participation in future  
22 peacekeeping operations.

23 (F) A Model Memorandum of Under-  
24 standing between the United Nations and each  
25 Member State that contributes troops to a

1 peacekeeping operation has been adopted by the  
2 United Nations Department of Peacekeeping  
3 Operations that specifically obligates each such  
4 Member State to—

5 (i) designate a competent legal au-  
6 thority, preferably a prosecutor with exper-  
7 tise in the area of sexual exploitation and  
8 abuse, to participate in any investigation  
9 into an allegation of misconduct brought  
10 against an individual of such Member  
11 State;

12 (ii) refer to its competent national or  
13 military authority for possible prosecution,  
14 if warranted, any investigation of a viola-  
15 tion of the Code of Conduct or other crimi-  
16 nal activity by an individual of such Mem-  
17 ber State;

18 (iii) report to the Department of  
19 Peacekeeping Operations on the outcome  
20 of any such investigation;

21 (iv) undertake to conduct on-site court  
22 martial proceedings relating to allegations  
23 of misconduct alleged against an individual  
24 of such Member State; and

1 (v) assume responsibility for the pro-  
2 vision of appropriate assistance to a victim  
3 of misconduct committed by an individual  
4 of such Member State.

5 (G) A professional and independent inves-  
6 tigative and audit function has been established  
7 within the United Nations Department of  
8 Peacekeeping Operations and the OIOS to mon-  
9 itor United Nations peacekeeping operations.

10 **SEC. 404. RULE OF CONSTRUCTION RELATING TO PROTEC-**  
11 **TION OF UNITED STATES OFFICIALS AND**  
12 **MEMBERS OF THE ARMED FORCES.**

13 Nothing in this title shall be construed as superseding  
14 the Uniform Code of Military Justice or operating to effect  
15 the surrender of United States officials or members of the  
16 Armed Forces to a foreign country or international tri-  
17 bunal, including the International Criminal Court, for  
18 prosecutions arising from peacekeeping operations or  
19 other similar United Nations-related activity, and nothing  
20 in this title shall be interpreted in a manner inconsistent  
21 with the American Servicemembers' Protection Act of  
22 2002 (title II of the 2002 Supplemental Appropriations  
23 Act for Further Recovery From and Response To Ter-  
24 rorist Attacks on the United States; Public Law 107-  
25 206).

1 **TITLE V—DEPARTMENT OF**  
2 **STATE AND GOVERNMENT AC-**  
3 **COUNTABILITY OFFICE**

4 **SEC. 501. POSITIONS FOR UNITED STATES CITIZENS AT**  
5 **INTERNATIONAL ORGANIZATIONS.**

6 The Secretary of State shall make every effort to re-  
7 cruit United States citizens for positions within inter-  
8 national organizations.

9 **SEC. 502. BUDGET JUSTIFICATION FOR REGULAR AS-**  
10 **SESSED BUDGET OF THE UNITED NATIONS.**

11 (a) DETAILED ITEMIZATION.—The annual congres-  
12 sional budget justification shall include a detailed itemized  
13 request in support of the assessed contribution of the  
14 United States to the regular assessed budget of the United  
15 Nations.

16 (b) CONTENTS OF DETAILED ITEMIZATION.—The  
17 detailed itemization required under subsection (a) shall—

18 (1) contain information relating to the amounts  
19 requested in support of each of the various sections  
20 and titles of the regular assessed budget of the  
21 United Nations; and

22 (2) compare the amounts requested for the cur-  
23 rent year with the actual or estimated amounts con-  
24 tributed by the United States in previous fiscal years  
25 for the same sections and titles.

1           (c) ADJUSTMENTS AND NOTIFICATION.—If the  
2 United Nations proposes an adjustment to its regular as-  
3 sessed budget, the Secretary of State shall, at the time  
4 such adjustment is presented to the Advisory Committee  
5 on Administrative and Budgetary Questions (ACABQ),  
6 notify and consult with the appropriate congressional com-  
7 mittees.

8 **SEC. 503. REVIEW AND REPORT.**

9           Not later than 6 months after the date of the enact-  
10 ment of this Act, the Secretary of State shall conduct a  
11 review of programs of the United Nations that are funded  
12 through assessed contributions and submit to the appro-  
13 priate congressional committees a report containing—

14                   (1) the findings of such review; and

15                   (2) recommendations relating to—

16                           (A) the continuation of such programs;

17                   and

18                           (B) which of such programs should be vol-  
19 untarily funded, other than those specified in  
20 subparagraphs (A) through (R) of subsection  
21 (c)(2) of section 11 of the United Nations Par-  
22 ticipation Act of 1945, as amended by section  
23 101(c) of this Act.

1 **SEC. 504. GOVERNMENT ACCOUNTABILITY OFFICE.**

2 (a) REPORT ON UNITED NATIONS REFORMS.—Not  
3 later than 12 months after the date of the enactment of  
4 this Act and again 12 months thereafter, the Comptroller  
5 General of the United States of the Government Account-  
6 ability Office shall submit to the appropriate congressional  
7 committees a report on the status of the 1997, 2002, and  
8 2005 management reforms initiated by the Secretary Gen-  
9 eral and on the reforms mandated by this Act.

10 (b) REPORT ON DEPARTMENT OF STATE CERTIFI-  
11 CATIONS.—Not later than 6 months after each certifi-  
12 cation submitted by the Secretary of State to the appro-  
13 priate congressional committees under this Act and sub-  
14 section (d)(3) of section 11 of the United Nations Partici-  
15 pation Act of 1945 (as amended by section 101(c) of this  
16 Act), the Comptroller General shall submit to the appro-  
17 priate congressional committees a report on each such cer-  
18 tification. The Secretary shall provide the Comptroller  
19 General with any information required by the Comptroller  
20 General to submit any such report.

21 (c) UNITED NATIONS CONSTRUCTION AND CON-  
22 TRACTING.—Not later than 6 months after the date of the  
23 enactment of this Act, the Comptroller General shall sub-  
24 mit to the Committee on International Relations of the  
25 House of Representatives, the Committee on Foreign Re-  
26 lations of the Senate, the Committee on Appropriations

1 of the House of Representatives, and the Committee on  
2 Appropriations of the Senate a report describing the costs  
3 associated with the contracting for and construction of the  
4 Geneva, Switzerland, buildings of the World Meteorolog-  
5 ical Organization (WMO) and the World Intellectual Prop-  
6 erty Organization (WIPO). The report shall include anal-  
7 yses of the procurement procedures for each such building  
8 and shall specifically address issues of any corrupt con-  
9 tracting practices that are discovered, such as rigged bids  
10 and kickbacks, as well as other improprieties. The report  
11 shall also include an identification of other credible allega-  
12 tions of corrupt contracting at United Nations construc-  
13 tion projects that involve major construction on a scale  
14 comparable to the WMO and WIPO construction projects,  
15 and a description of the results of an investigation into  
16 each such credible allegation.

17 **TITLE VI—CERTIFICATIONS AND**  
18 **WITHHOLDING OF CONTRIBU-**  
19 **TIONS**

20 **SEC. 601. CERTIFICATIONS AND WITHHOLDING OF CON-**  
21 **TRIBUTIONS.**

22 (a) CERTIFICATIONS.—

23 (1) IN GENERAL.—Except as provided in para-  
24 graph (3), the certifications required under sub-  
25 section (d)(3) of section 11 of the United Nations

1 Participation Act of 1945 (as amended by section  
2 101(c) of this Act) and section 103, sections 104(a)  
3 through 104(g), sections 113 and 114, sections  
4 201(c) and 201(e), and sections 202 and 203 of this  
5 Act are certifications submitted to the appropriate  
6 congressional committees by the Secretary of State  
7 that the requirements of each such section have been  
8 satisfied with respect to reform of the United Na-  
9 tions.

10 (2) ALTERNATE CERTIFICATION MECHANISM.—

11 (A) IN GENERAL.—Except as provided in  
12 paragraph (3), in the event that the Secretary  
13 is unable to submit a certification in accordance  
14 with paragraph (1), the Secretary may submit  
15 to the appropriate congressional committees, in  
16 accordance with subparagraph (B), an alternate  
17 certification that certifies that the requirements  
18 of the section to which the original certification  
19 applies have been implemented through reforms  
20 that are substantially similar to the require-  
21 ments of such section or accomplish the same  
22 purposes as the requirements of such section.

23 (B) EQUIVALENCY.—Reforms are substan-  
24 tially similar or accomplish the same purposes  
25 if—

1 (i) such reforms are formally adopted  
2 in written form by the entity or committee  
3 of the United Nations or of its specialized  
4 agency that has authority to enact or im-  
5 plement such reforms or are issued by the  
6 Secretariat or the appropriate entity or  
7 committee in written form; and

8 (ii) such reforms are not identical to  
9 the reforms required by a particular cer-  
10 tification but in the determination of the  
11 Secretary will have the same, or nearly the  
12 same effect, as such reforms.

13 (C) WRITTEN JUSTIFICATION AND CON-  
14 SULTATION.—

15 (i) WRITTEN JUSTIFICATION.—Not  
16 later than 30 days before submitting an al-  
17 ternate certification in accordance with  
18 subparagraph (A), the Secretary shall sub-  
19 mit to the appropriate congressional com-  
20 mittees a written justification explaining in  
21 detail the basis for such alternate certifi-  
22 cation.

23 (ii) CONSULTATION.—After the Sec-  
24 retary has submitted the written justifica-  
25 tion under clause (i), but no later than 15

1 days before the Secretary exercises the al-  
2 ternate certification mechanism described  
3 under subparagraph (A), the Secretary  
4 shall consult with the appropriate congress-  
5 sional committees regarding such exercise.

6 (3) LIMITED EXCEPTION FOR SUBSTANTIAL  
7 COMPLIANCE.—

8 (A) SUBSTANTIAL COMPLIANCE.—Subject  
9 to subparagraph (B), if at least 32 of the 40  
10 reforms represented by the 11 certifications  
11 specified under paragraph (1) have been imple-  
12 mented, all such reforms (including the  
13 unimplemented reforms) so represented shall be  
14 deemed to have been implemented for the year  
15 in which the Secretary submits such certifi-  
16 cations.

17 (B) MANDATORY IMPLEMENTATION OF  
18 CERTAIN REFORMS.—

19 (i) IN GENERAL.—The provisions of  
20 subparagraph (A) shall not apply unless  
21 the reforms under the following sections  
22 have been implemented for the year to  
23 which subparagraph (A) applies:

24 (I) Subsection (d)(3) of section  
25 11 of the United Nations Participa-

1                   tion Act of 1945 (as amended by sec-  
2                   tion 101(c) of this Act).

3                   (II) Section 103(b)(1)(A).

4                   (III) Section 103(b)(2)(D).

5                   (IV) Section 104(a)(1).

6                   (V) Section 104(a)(6).

7                   (VI) Section 104(b)(1).

8                   (VII) Section 104(b)(2).

9                   (VIII) Section 104(c)(1).

10                  (IX) Section 201(b)(1).

11                  (X) Section 201(b)(2).

12                  (XI) Section 201(b)(3).

13                  (XII) Section 201(b)(5).

14                  (XIII) Section 201(b)(6).

15                  (XIV) Section 202(a)(1).

16                  (XV) Section 202(a)(2).

17                  (ii) FULL COMPLIANCE IN SUC-  
18                  CEEDING YEAR.—If the unimplemented re-  
19                  forms under subparagraph (A) are not im-  
20                  plemented in the year succeeding the year  
21                  to which subparagraph (A) applies, the  
22                  provisions of subsection (b) shall apply for  
23                  such succeeding year.

1 (b) WITHHOLDING OF UNITED STATES CONTRIBU-  
2 TIONS TO REGULAR ASSESSED BUDGET OF THE UNITED  
3 NATIONS.—

4 (1) IN GENERAL.—Except as provided in para-  
5 graph (4) and in accordance with paragraph (2),  
6 until such time as all certifications (or alternate cer-  
7 tifications) are submitted in accordance with sub-  
8 section (a), the United States shall appropriate, but  
9 withhold from expenditure, 50 percent of the con-  
10 tributions of the United States to the regular as-  
11 sessed budget of the United Nations for a biennial  
12 period.

13 (2) AVAILABLE UNTIL EXPENDED.—The con-  
14 tributions appropriated but withheld from expendi-  
15 ture under paragraph (1) are authorized to remain  
16 available until expended.

17 (3) APPLICATION WITH RESPECT TO SECTION  
18 11(B) OF THE UNITED NATION PARTICIPATION ACT  
19 OF 1945.—Until such time as all certifications (or al-  
20 ternate certifications) are submitted in accordance  
21 with subsection (a), subsection (b) of section 11 of  
22 the United Nations Participation Act of 1945 (as  
23 amended by section 101(c) of this Act) shall be ad-  
24 ministered as though such section reads as follows:  
25 “The Secretary may not make a contribution to a

1 regularly assessed biennial budget of the United Na-  
2 tions in an amount greater than 11 percent of the  
3 amount calculable under subsection (c).”.

4 (4) SECTION 11(D)(3) OF UNITED NATIONS PAR-  
5 TICIPATION ACT OF 1945.—

6 (A) SPECIAL RULE.—A certification under  
7 subsection (d)(3) of section 11 of the United  
8 Nations Participation Act of 1945 (as amended  
9 by section 101(c) of this Act) (relating to the  
10 2008–2009 biennial period and subsequent bi-  
11 ennial periods) shall not be required until such  
12 time as the United Nations makes its formal  
13 budget presentation for the 2008–2009 biennial  
14 period.

15 (B) APPLICATION.—If the Secretary does  
16 not submit a certification under such section,  
17 the 50 percent withholding described under  
18 paragraph (1) shall apply.

19 (c) RELEASE OF FUNDS.—At such time as all certifi-  
20 cations (or alternate certifications) are submitted in ac-  
21 cordance with subsection (a), the United States shall  
22 transfer to the United Nations amounts appropriated but  
23 withheld from expenditure under subsection (b).

24 (d) ANNUAL REVIEWS.—

1           (1) IN GENERAL.—The Secretary shall conduct  
2           annual reviews, beginning 1 year after the date on  
3           which the Secretary submits the final certification  
4           (or alternate certification) in accordance with sub-  
5           section (a), to determine if the United Nations con-  
6           tinues to remain in compliance with all such certifi-  
7           cations (or alternate certifications). Not later than  
8           30 days after the completion of each such review,  
9           the Secretary shall submit to the appropriate con-  
10          gressional committees a report containing the find-  
11          ings of each such review.

12          (2) ACTION.—If during the course of any such  
13          review the Secretary determines that the United Na-  
14          tions has failed to remain in compliance with a cer-  
15          tification (or an alternate certification) that was  
16          submitted in accordance with subsection (a), the 50  
17          percent withholding described under subsection (b)  
18          shall re-apply with respect to United States con-  
19          tributions each fiscal year to the regular assessed  
20          budget of the United Nations beginning with the fis-  
21          cal year immediately following such review and sub-  
22          sequent fiscal years until such time as all certifi-  
23          cations (or alternate certifications) under subsection  
24          (a) have been submitted.

1       (e) EFFECTIVE DATE.—The certifications (or alter-  
2       nate certifications) specified under subsection (a) shall be  
3       required with respect to United States contributions to-  
4       wards payment of regular assessed dues of the United Na-  
5       tions for 2007 and subsequent years.

Passed the House of Representatives June 17, 2005.

Attest:

JEFF TRANDAHL,

*Clerk.*



Calendar No. 133

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 2745**

---

---

**AN ACT**

To reform the United Nations, and for other purposes.

---

---

JUNE 21, 2005

Read the second time and placed on the calendar