

about. The gentleman from New Jersey (Mr. SMITH) can relate to what I am about to say, and I ask the gentleman from Illinois (Chairman HYDE) to do so as well.

More than a year ago, the governing side of the OSCE was met with threats from the country Russia. And we agree even today that transparency and accountability in that organization is critical. They hold most of their undertakings behind closed doors. They operate on the consensus rule, and it primarily stagnates the mission of the OSCE. But Russia said that unless the United States paid more dues, interestingly enough in this particular instance, and that they paid less dues, and that reform measures that they were seeking were implemented, that they would withhold their dues from the OSCE. It did not stop the organization from running. It is not going to stop the Assembly from taking place here in Washington, D.C., July 1 through July 5. But what it did was that threat caused turmoil inside the organization that is in need of reform, and I think we run into the same kind of measure here in this particular proposal.

Listen, Madeleine Albright and John Danforth, Richard Holbrooke and Jeane Kirkpatrick are nobody's rookies, and they are not naive when it comes to what is needed. Thomas Pickering and Bill Richardson and Donald McHenry and Andrew Young, all eight of these individuals were people that served as our Ambassadors under Republican and Democratic administrations to the United Nations, and during that entire period of time, each of them in their own way contributed to meaningful reform. All of them have said, The need for United Nations reform is clear, but we urge that you carefully consider this legislation because it will not, it will not, do the necessary reforms at the U.N.

The SPEAKER pro tempore (Mr. TERRY). The gentleman's time has expired.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate the kindness and flexibility of my good friend from Florida.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I am proud to rise in support of the rule and the Henry J. Hyde U.N. Reform Act, and just as proud to rise in tribute to the gentleman from Illinois (Mr. HYDE).

When the gentleman from Illinois (Mr. HYDE) feels something needs fixing, we had better take notice and know it needs fixing.

We need an organization of nations that cares about human rights, but we need a united group of nations that believes more in the rights of individuals than it believes that the right of individuals is to plunder others.

It should be noticed that at a time when the United Nations' reputation for truth, justice, and following its own rules is at an all-time low, it should be

doing everything it can to bring information to light, whether it is good or bad. If the U.N. leadership, however, spent half the time lining the fabric of freedom than it has been lining the pockets of friends and family, then this would be approaching utopia. That is not the case.

Last month there was an investigator who had something called a conscience. He wanted to come forward with information. What did the U.N. do? They hired attorneys to have an injunction to keep us from knowing the truth.

It is time to be united and holding the United Nations accountable. Support the rule on the Henry H. Hyde bill.

Mr. BISHOP of Utah. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank my colleague on the Committee on Rules for yielding me this 1 minute.

I grew up in the Deep South in the late 1950s. Every other billboard in the South, in my part of Georgia, said, "Get out of the United Nations." I did not think that was correct then, and I do not feel that way now. In fact, maybe we should have joined the League of Nations and we would never have had World War II. But if there is ever a time to reform an organization, it is absolutely now.

I am proud to support the rule and the bill, H.R. 2745, the Henry J. Hyde United Nations Reform Act of 2005.

The gentleman from California earlier talked about the Ten Commandments and the fact that we are burdening the U.N. with these 39 commandments. But really what he is suggesting is that they are not commandments at all. They become suggestions. It does not really matter, the number.

□ 1730

I think we need some teeth in this reform, and that is what the Henry J. Hyde United Nations Reform Act does. I am fully supportive. I ask my colleagues on both sides of the aisle to support this, and let us straighten out that organization.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I appreciate the opportunity for having had a very quality debate here today. It is interesting to note once again that the ranking member and the chairman have said the need for reform is obvious. There is no disagreement on that point. It is seemingly the mechanism of doing that.

Once again I point out that in 1985, 1994 and 1999, this House set precedent by doing the exact same concept that is there. And it is true that maybe I have heard a new concept here that I do not need to make all Ten Commandments to get to heaven, but I also know that when I was in my classroom and I put high standards and high expectations, my kids met those standards; and if I wavered, then they wavered at the same time.

This is a good piece of legislation. It is an excellent rule, and I urge its

adoption and passage of the underlying legislation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2745.

The SPEAKER pro tempore (Mr. BISHOP of Utah). Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 319 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2745.

The Chair designates the gentleman from New Hampshire (Mr. BASS) as Chairman of the Committee of the Whole, and requests the gentleman from Nebraska (Mr. TERRY) to assume the chair temporarily.

□ 1733

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2745) to reform the United Nations, and for other purposes, with Mr. TERRY (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 10 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to announce that I am terribly flattered by the extravagant things that have been said, but I must confess I did not name this bill after myself. While I deeply appreciate the honor, I am a trifle embarrassed, not thoroughly embarrassed, but a trifle.

Mr. Chairman, most informed people agree that the U.N. is in desperate need of reform. Corruption is rampant, as evidenced by the ever-expanding Oil-for-Food scandal. U.N. peacekeepers have sexually abused children in Bosnia, the Congo, Sierra Leone and other

places; and the culture of concealment makes rudimentary oversight virtually impossible. A casual attitude towards conflict-of-interest rules undermines trust in the U.N.'s basic governance.

I could spend many hours reciting a litany of waste, fraud, and abuse that has become intolerable. So what do we do about it? What leverage do we have to bring about change in how this institution operates?

First of all, we pay 22 percent of the budget. That is \$440 million. We pay 27 percent of the peacekeeping budget. Do not ask me what that is. You cannot find out. That is a secret. China pays 2.1 percent, or \$36.5 million. Russia pays 1.1 percent, or \$19 million.

Over the years, as we listened to the counsels for patience, the U.N.'s failings have grown worse, not lessened. Our many warnings, plans and urgings have largely come and gone, with few lasting accomplishments to mark their presence. Trust in gradual change has been interpreted as indifference, a very expensive indifference.

So the time has finally come when we must in good conscience say "enough." "Enough" to allowing odious regimes such as Cuba, Sudan and Zimbabwe to masquerade as arbiters of human rights. "Enough" to peacekeepers exploiting and abusing the people they were sent to protect. "Enough" to unkept promises and squandering the dreams of generations.

Very few are opposed to the U.N.'s role in facilitating diplomacy, mediating disputes, monitoring the peace, and feeding the hungry. But we are opposed to the legendary bureaucratization, to political grandstanding, to billions of dollars spent on multitudes of programs with meager results, to the outright misappropriation of funds represented by the Oil-for-Food program. And we rightly bristle at the gratuitous anti-Americanism that has become ingrained over decades, even as our checks continue to be regularly cashed.

No observer, be he a passionate supporter of this legislation or dismissive critic, can pretend that the current structure and operations of the U.N. represent an acceptable standard. Even the U.N. itself has acknowledged the need for extensive measures and, to its credit, has put forward a number of useful proposals for consideration.

In the United States, the recognition of need for change is widely shared and bipartisan. Republican and Democratic administrations alike have long called for a more focused and accountable budget, one that reflects what should be the true priorities of the organization, shorn of duplicative, ineffective, and outdated programs. Members on both sides of the aisle in Congress agree that the time has come for far-reaching reform.

I have heard no arguments in favor of maintaining the status quo. Even the opponents of this legislation concede the need for deep change. The key difference, the all-important difference,

between their proposals and the one we have put forward lies in the methods to be used to accomplish that universally desired goal.

We are already experiencing strenuous resistance to change from many sources, both within the U.N. and without. But admonishment will not transform sinners into saints; resolutions of disapproval will not be read; flexible deadlines and gentle proddings will be ignored.

Instead, more persuasive measures are called for. This legislation brings to bear instruments of leverage sufficient to the task, the most important being tying the U.S. financial contribution to a series of readily understandable benchmarks.

In an effort to derail this legislation, it has been proposed that we hand to the Secretary of State the power to selectively withhold funds from the U.N. as a means of inspiring a cooperative attitude in the organization. I certainly mean no disrespect for the current Secretary, whom I hold in the highest esteem, but the power of the purse belongs to Congress and is not delegable, no matter who holds that high office.

We cannot escape this burden. The task we face is an extensive one, and I have no illusions regarding the difficulties and the challenges we face. But the choice is simple: we can either seek to accomplish concrete improvements, which will require an enforcement mechanism more credible and more decisive than mere wishes, or we can pretend to do so. For there can be no doubt that any proposal resting upon discretionary decisions concedes in advance that any reform will be fragmentary at best, if there is any at all.

We are in a peculiar situation. Opponents of change cloak themselves in the robes of defenders of the U.N., when it is in fact they who would condemn it to irrelevance. Those of us who believe the U.N. can yet reclaim its mission and assume the role foreseen by the vision of its founders have no choice but to take up this task of U.N. reform.

Yes, this is radical surgery. Sometimes it is the only way to save the patient.

Mr. Chairman, I reserve the balance of my time.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to this bill, and I urge all of my colleagues across the aisle to do so. Let me state at the outset that I fully share the passionate commitment of the gentleman from Illinois (Chairman HYDE) to meaningful and thorough reforms at the United Nations. This global institution must become more transparent and open, its employees must be held to the highest ethical and moral standards, and the abuses of the Oil-for-Food program must never be repeated.

Mr. Chairman, the United Nations must put an end to its persistent and pathological persecution of the demo-

cratic nation of Israel, which has become the whipping boy for totalitarian regimes around the globe. Serial human rights abusers, Mr. Chairman, must also be kept off U.N. institutions explicitly designed to fight for the cause of human rights and democracy.

Mr. Chairman, the crushing flow of stories of scandal at the United Nations has forced a long-overdue recognition of an essential fact about the place: it is not a real country, like Japan or Norway. It is a derivative reality reflecting its less-than-perfect member states in a deeply flawed world.

I would like to remind my colleagues that there will be no quick fix for an organization composed of 191 member states which, in varying degrees, have their own shortcomings, their own injustices, their own flaws, their own hypocrisies of all types. Because a quick fix is not to be expected, and rigid, punitive measures will not bring about a long-term fix, Mr. Chairman, I must oppose the legislation before the House today and indicate my intention to offer a substitute amendment.

Just yesterday, Mr. Chairman, our Republican administration informed Congress that it strongly opposes the automatic withholding provisions of the Hyde bill as well as its infringements upon the President's constitutional powers.

Let me repeat that, Mr. Chairman, and I want my Republican friends to listen. The Republican administration strongly opposes the Hyde bill.

□ 1745

This does not come as a surprise to us, Mr. Chairman. Just a few weeks ago, high-ranking officials at the Department of State told Congress that the legislation would undoubtedly create new arrears at the United Nations because not all of the U.N. reform benchmarks contained in the bill are achievable. While many of the reforms being sought in the Hyde bill are worthy goals, many require unanimous agreement by all 191 U.N. member states, including the likes of Iran, Syria, and Sudan.

Mr. Chairman, the Lord gave us Ten Commandments, but the bill before the House today gives us 39. What is worse, Mr. Chairman, is that if the United Nations achieves 38 of these benchmarks and only accomplishes half of the thirty-ninth, the Hyde bill automatically, automatically, cuts off 50 percent of the U.S. contribution to the United Nations. With this rigid and inflexible mechanism, the legislation before us will undercut, not strengthen, our ability to press for the very reforms we all seek.

Senior State Department officials argue that the bill, if enacted, would severely undermine America's national security interests by killing desperately needed U.N. peacekeeping operations, including a possible mission to deal with genocide.

The State Department is not alone in opposing the Hyde bill. Eight former

United States Ambassadors to the United Nations have expressed their strongest opposition to the bill. These Ambassadors include distinguished Republicans like Jeane Kirkpatrick, John Danforth, a former distinguished Republican Senator; and Ambassadors Richard Holbrooke, Madeleine Albright, Donald McHenry, Thomas Pickering, Bill Richardson, and Andrew Young. They argue that the bill "threatens to undermine our leadership and effectiveness at the U.N. and the reform effort itself."

In short, Mr. Chairman, while the Hyde bill has the best of intentions, it will cause our Nation to go back into an arrears at the United Nations without achieving the desired outcomes. Given the important role the United Nations is currently playing in Afghanistan, in Iraq, in Darfur, and scores of other places, I fail to see how going into debt at the United Nations will promote our national security interests. It will only force the United States to take on greater global responsibilities at the very moment when our troops and our diplomats are already spread thin.

I also fail to see, Mr. Chairman, how tying the hands of our distinguished Secretary of State, Dr. Condoleezza Rice, as she pursues reform at the United Nations would serve our national interest. The legislation before the Congress micromanages every possible reform at the United Nations. It creates mechanical, arbitrary, and automatic withholdings, and it gives Secretary of State Rice zero flexibility to get the job done.

For these reasons, Mr. Chairman, I will offer a substitute amendment to achieve U.N. reform which will give Secretary Rice the flexibility she asks for, she needs, and she fully deserves from the Congress.

Mr. Chairman, I urge all of my colleagues to side with our Nation's bipartisan foreign policy leaders in opposing this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

I just want to respond to my dear friend, and he is my dear friend. If I ever become President of the United States, I would nominate the gentleman from California (Mr. LANTOS) as my Secretary of State and be guided by his advice.

Mr. LANTOS. Mr. Chairman, if the gentleman will yield, I deeply appreciate that, Mr. Chairman.

Mr. HYDE. Mr. Chairman, that is what I think of the gentleman from California (Mr. LANTOS).

Mr. Chairman, I just want to point out that substantial compliance is accorded to the Secretary of State, so if 38 of the 39 are complied with, the 39th could have been substantially complied with and suffice.

Mr. Chairman, I yield the remaining time to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Chairman, I rise today in strong support and appreciation really of both of our leaders on this bill, the gentleman from California (Mr. LANTOS), and I am particularly pleased to see this bill named in appreciation and recognition of the great leadership of our Committee on International Relations chairman, the gentleman from Illinois (Mr. HYDE).

I think we all know on both sides of the aisle that the United Nations has not lived up to its expectations. It unfortunately has come way too close to mirroring the ineffective activities of the organization it replaced, the League of Nations.

This year, the U.N.'s budget increased to \$1.8 billion. Of that \$1.8 billion, we pay a substantial part of the cost of the U.N. These reforms are necessary. Moving the programs that this bill suggests be moved to voluntary programs only increases the willingness of people to support those programs, the transparency of those programs.

I strongly urge support for this bill. I strongly urge support for the penalties that it contains. I appreciate my friend, the gentleman from Illinois (Mr. HYDE), and also our great Ranking Member of this committee, the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1½ minutes to the distinguished gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, although I believe in the values and principles expressed in the United Nations Charter, the organization has been hijacked by some member states who have betrayed those values. The use of blood libels by representatives of member states in official U.N. reports and by NGOs is unacceptable.

It is time to do more to press the U.N. to reform. It is not enough to criticize the U.N. and to denounce its institutional anti-Semitism. Slandering the Jewish people, their aspirations for self-determination, and their homeland is unacceptable. Excluding Israel, a member state, from the community of nations because of ancient hatreds and slanders is unworthy of an organization founded to promote world peace and end human suffering.

No other nation would be denounced for taking steps to protect its citizens from acts of terror aimed intentionally at civilians. No nation has exercised as much restraint as Israel, yet no nation has been subjected to so much condemnation, indeed vilification and demonization, including those countries that practice slavery, torture, and genocide, some of whom have been privileged to sit on the United Nations Commission on Human Rights, a right denied to Israel in the more than half a century it has been a member.

The U.N. is capable of good and important work in the eradication of disease, in alleviating poverty, in averting genocide, in peacekeeping. It can and should do more, but it can never live

up to its potential and its mission unless it sheds the stain of anti-Semitism.

For these reasons, the United Nations critically needs to be reformed. Yet, some commands for change, including several provisions in the Hyde bill, are counterproductive and unwise.

Specifically I cannot support the Hyde bill provision that mandates cutting in half U.S. payments to the U.N. unless the U.N. adopts 39 specific reforms, many of which cannot conceivably be adopted because they require unanimous consent from all 191 member states, including Syria, Iran, and North Korea.

The Hyde bill would halt funding for peacekeeping missions, endangering vital new or expanded U.N. operations in Darfur and Haiti, and ignoring the possibility of future crises that may demand international intervention is such places as Iran or Syria.

The Lantos substitute recommends reforms that will make the U.N. more fair and effective, but it avoids the rigid and draconian approach that makes the Hyde bill both unreasonable and potentially dangerous, so I urge adoption of the Lantos substitute.

Mr. Chairman, although I believe in the values and principles expressed in the United Nations Charter, the organization has been hijacked by some member states who have betrayed these values. The use of blood libels by representatives of member states, in official U.N. reports, and by NGOs, is unacceptable and clearly evidence that the United Nations needs to be reformed.

I believe it is time for the United States to do more to press the U.N. to reform. It is not enough to criticize the U.N. It is not enough to denounce the U.N.'s institutional anti-Semitism.

Slandering the Jewish people, their aspirations for self-determination, and their homeland, is unacceptable. Excluding Israel, a member state, from the community of nations because of ancient hatreds and slanders is unworthy of an organization founded to promote world peace and end human suffering.

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For these reasons, the United Nations critically needs to be reformed. Yet, some demands for change—including several provisions in the Hyde bill—are counterproductive and unwise.

Specifically, I cannot support the Hyde bill provision that mandates cutting in half United States payments to the U.N. unless the U.N.

adopts 38 specific reforms—many of which cannot conceivably be adopted because they require unanimous consent from all 191 memberstates, including Syria, Iran, and North Korea.

The Hyde bill would also halt funding for peacekeeping missions, endangering vital new or expanded U.N. operations in Darfur and Haiti, and ignoring the possibility of future crises that may demand international intervention in such places as Iran or Syria.

The Democratic substitute, offered by my colleague and good friend from California Mr. LANTOS, which authorizes the Secretary of State to use her discretion in withholding funds to promote adoption of the reforms we seek, is far preferable. The Lantos substitute recommend reforms that will make the U.N. more fair and effective, but it avoids the rigid, draconian, automatic approach that makes the Hyde bill both unreasonable and dangerous.

Mr. NEUGEBAUER. Mr. Chairman, I rise today to express my strong support for H.R. 2745, the United Nations (U.N.) Reform Act. I would like to take this opportunity to thank the distinguished gentleman from Illinois (Mr. HYDE), Chairman of the International Relations Committee, for his leadership on this critically important issue.

For years, Americans have watched with disbelief as the United Nations has put brutal dictatorships like Syria and Sudan on its Human Rights Commission, while at the same time it lectures free democracies on what it means to respect human rights. Now, we are seeing not only misplaced condescension, but also widespread corruption.

The U.N. was established in order to promote international cooperation and peace between nations. However, the good intentions that led to the U.N.'s founding have been followed by a long list of mismanagement, scandal and corruption. Clearly, the U.N. is in desperate need of reform. Most recently, for example, there were problems of kickbacks, bribes and nepotism within the Oil for Food program. There are also serious concerns with the behavior of the U.N. peacekeepers in Africa, including accusations of sexual abuse of the very people they are there to protect. These are just two areas of concern; there are countless other examples.

This important legislation requires the U.N. to make 39 critical reforms to decrease bureaucracy, increase oversight and most significantly provide accountability. In order to ensure that the U.N. takes action, the bill requires the U.S. to withhold 50 percent of our contribution if the U.N. does not enact these much-needed reforms.

The United States is by far the largest contributor to the U.N. This year, the U.S. is expected to provide 22 percent of the U.N.'s budget, an estimated \$362 million. It is a travesty that our tax dollars are being misused by the U.N. with no accountability. This is why we need this legislation.

In closing, Mr. Chairman, I urge my colleagues to support this bill.

The Acting CHAIRMAN (Mr. TERRY). All time for initial general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment and is considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2745

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

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

(b) *TABLE OF CONTENTS.*—The table of contents for 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.

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

Sec. 201. Human rights.

Sec. 202. Economic and Social Council (ECOSOC).

**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.

**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.

**SEC. 2. DEFINITIONS.**

*In this Act:*

(1) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—The term “appropriate congressional committees” means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) *EMPLOYEE.*—The term “employee” means an individual who is employed in the general services, professional staff, or senior management of the United Nations, including contractors and consultants.

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

(4) *MEMBER STATE.*—The term “Member State” means a Member State of the United Nations. Such term is synonymous with the term “country”.

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

(6) *SECRETARY GENERAL.*—The term “Secretary General” means the Secretary General of the United Nations.

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

(8) *SPECIALIZED AGENCIES AND SPECIALIZED AGENCIES OF THE UNITED NATIONS.*—The terms “specialized agencies” and “specialized agencies of the United Nations” mean—

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

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

(C) the International Civil Aviation Organization (ICAO);

(D) the International Fund for Agricultural Development (IFAD);

(E) the International Labor Organization (ILO);

(F) the International Maritime Organization (IMO);

(G) the International Telecommunication Union (ITU);

(H) the United Nations Educational, Scientific, and Cultural Organization (UNESCO);

(I) the United Nations Industrial Development Organization (UNIDO);

(J) the Universal Postal Union (UPU);

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

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

(M) the World Intellectual Property Organization (WIPO).

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

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

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

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

(a) *STATEMENTS OF POLICY.*—

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

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

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

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

(A) redirect United States contributions to the United Nations to achieve the policy objectives described in paragraph (1)(B); and

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

(i) Public Information.

(ii) General Assembly affairs and conference services.

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

(4) *CERTAIN ORGANIZATIONAL PROGRAMS.*—The organizational programs referred to in paragraph (1)(B) are the following:

(A) Economic and social affairs.

(B) Least-developed countries, landlocked developing countries and small island developing States.

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

(D) Trade and development.

(E) International Trade Center UNCTAD/ WTO.

(F) Environment.

(G) Human settlements.

(H) Crime prevention and criminal justice.

(I) International drug control.

(J) Economic and social development in Africa.

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

(L) Economic development in Europe.

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

(N) Economic and social development in Western Asia.

(O) Regular program of technical cooperation.

(P) Development account.

(Q) Protection of and assistance to refugees.

(R) Palestine refugees.

(b) AUTHORIZATION WITH RESPECT TO THE REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—Subject to the amendment made by subsection (c), the Secretary of State is authorized to make contributions toward the amount assessed to the United States by the United Nations for the purpose of funding the regular assessed budget of the United Nations.

(c) UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.—Section 11 of the United Nations Participation Act of 1945 (22 U.S.C. 287e-3) is amended to read as follows:

**“SEC. 11. UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.**

“(a) POLICY OF THE UNITED STATES RELATING TO THE REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—

“(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to—

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

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

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

“(A) redirect United States contributions to the United Nations to achieve the policy objectives described in paragraph (1)(B); and

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

“(i) Public Information.

“(ii) General Assembly affairs and conferences services.

“(3) FUTURE BIENNIAL BUDGETS.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure that the shifting of funding mechanisms under paragraph (1)(B) and redirecting of contributions under paragraph (2) be reflected in future resolutions agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium. To achieve the policies described in paragraphs (1) and (2), the United States Permanent Representative to the United Nations shall withhold the support of the United States for a consensus for such budget until such time as such budget is reflective of such policies.

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

“(c) ANNUAL DUES.—

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

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

The percentage specified in subsection (b) shall be multiplied by one-half of the sum of amounts budgeted by resolution of the General Assembly for a current biennial period for the following certain organizational programs:

“(A) Economic and social affairs.

“(B) Least-developed countries, landlocked developing countries and small island developing States.

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

“(D) Trade and development.

“(E) International Trade Center UNCTAD/WTO.

“(F) Environment.

“(G) Human settlements.

“(H) Crime prevention and criminal justice.

“(I) International drug control.

“(J) Economic and social development in Africa.

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

“(L) Economic development in Europe.

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

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

“(O) Regular program of technical cooperation.

“(P) Development account.

“(Q) Protection of and assistance to refugees.

“(R) Palestine refugees.

“(3) REDIRECTION OF FUNDS.—Of amounts appropriated for contributions towards payment of regular assessed dues to the United Nations for 2008 and each subsequent year, if the funding mechanisms of one or more of the organizational programs of the United Nations specified in paragraph (2) have not been shifted from the regular assessed budget to voluntarily funded programs in accordance with subsection (a)(1), the Secretary shall ensure that such amounts in each such fiscal year that are specified for each such organizational program pursuant to the resolution agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium are redirected from payment of the assessed amount for the regular assessed budget as follows:

“(A) Subject to not less than 30 days prior notification to Congress, the Secretary shall expend an amount, not to exceed 40 percent of the amount specified for each such organizational program pursuant to the resolution agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium, as a contribution to an eligible organizational program specified in paragraph (4).

“(B) Subject to not less than 30 days prior notification to Congress, the Secretary shall expend the remaining amounts under this paragraph to voluntarily funded United Nations specialized agencies, funds, or programs.

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

“(A) Internal oversight.

“(B) Human rights.

“(C) Humanitarian assistance.

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

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

“(A) VOLUNTARY CONTRIBUTION.—Subject to not less than 30 days prior notification to Congress and the limitation specified under subparagraph (B), the Secretary is authorized to make a voluntary contribution to an organizational program of the United Nations specified in subparagraphs (A) through (P) of paragraph (2) of any amounts not contributed in a fiscal year to an eligible organizational program specified in subparagraphs (A) through (C) of paragraph (4).

“(B) 10 PERCENT LIMITATION.—A voluntary contribution under subparagraph (A) to an or-

ganizational program of the United Nations specified in subparagraphs (A) through (P) of paragraph (2) may not exceed 10 percent of the total contribution made under paragraph (3)(A).

“(d) FURTHER CALCULATION WITH RESPECT TO BUDGETS FOR PUBLIC INFORMATION AND GENERAL ASSEMBLY AFFAIRS AND CONFERENCE SERVICES.—

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

“(2) ANNUAL DUES EACH FISCAL YEAR.—

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

“(B) CALCULATION WITH RESPECT TO PUBLIC INFORMATION AND GENERAL ASSEMBLY AFFAIRS AND CONFERENCE SERVICES.—With respect to such United States annual dues, the percentage specified in paragraph (1) shall be multiplied by one-half of the sum of amounts budgeted by resolution of the General Assembly for the 2004–2005 biennial period for the following organizational programs:

“(i) Public Information.

“(ii) General Assembly affairs and conferences services.

“(C) REDIRECTION OF FUNDS.—

“(i) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to make every effort, including the withholding of United States support for a consensus budget of the United Nations, to reduce the budgets of the organizational programs specified in subparagraph (B) for 2007 by ten percent against the budgets of such organizational programs for the 2004–2005 biennial period. If the budgets of such organizational programs are not so reduced, 20 percent the amount determined under subparagraph (B) for contributions towards payment of regular assessed dues for 2007 shall be redirected from payment for the amount assessed for United States annual contributions to the regular assessed budget of the United Nations.

“(ii) SPECIFIC AMOUNTS.—The Secretary shall make the amount determined under clause (i) available as a contribution to an eligible organizational program specified in subparagraphs (A) through (C) of paragraph (4) of subsection (c).

“(3) POLICY WITH RESPECT TO 2008–2009 BIENNIAL PERIOD AND SUBSEQUENT BIENNIAL PERIODS.—

“(A) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to make every effort, including the withholding of United States support for a consensus budget of the United Nations, to reduce the budgets of the organizational programs specified in subparagraph (B) of paragraph (2) for the 2008–2009 biennial period and each subsequent biennial period by 20 percent against the budgets of such organizational programs for the 2004–2005 biennial period.

“(B) CERTIFICATION.—In accordance with section 601, a certification shall be required that certifies that the reduction in budgets described in subparagraph (A) has been implemented.”

(d) EFFECTIVE DATE.—The amendment made by subsection (c) shall take effect and apply beginning on October 1, 2006.

**SEC. 102. WEIGHTED VOTING.**

It shall be the policy of the United States to actively pursue weighted voting with respect to all budgetary and financial matters in the Administrative and Budgetary Committee and in the General Assembly in accordance with the level of the financial contribution of a Member State to the regular assessed budget of the United Nations.

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

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

(b) **CONDITIONS.**—The conditions under this subsection are the following:

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

(A) require the maintenance of a budget not in excess of the level agreed to by the General Assembly at the beginning of each United Nations budgetary biennium, unless increases are agreed to by consensus and do not exceed ten percent; and

(B) require the identification of expenditures by the United Nations by functional categories such as personnel, travel, and equipment.

(2) **PROGRAM EVALUATION.**—

(A) **EXISTING AUTHORITY.**—The Secretary General and the Director General of each specialized agency have used their existing authorities to require program managers within the United Nations Secretariat and the Secretariats of the specialized agencies to conduct evaluations in accordance with the standardized methodology referred to in subparagraph (B) of—

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

(ii) programs of the specialized agencies.

(B) **DEVELOPMENT OF EVALUATION CRITERIA.**—

(i) **UNITED NATIONS.**—The Office of Internal Oversight Services has developed a standardized methodology for the evaluation of United Nations programs approved by the General Assembly, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(ii) **SPECIALIZED AGENCIES.**—Patterned on the work of the Office of Internal Oversight Services of the United Nations, each specialized agency has developed a standardized methodology for the evaluation of the programs of the agency, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(C) **REPORT.**—The Secretary General is assessing budget requests and, on the basis of evaluations conducted under subparagraph (B) for the relevant preceding year, submits to the General Assembly a report containing the results of such evaluations, identifying programs that have satisfied the criteria for continuing relevance and effectiveness, and an identification of programs that have not satisfied such criteria and should be terminated.

(D) **SUNSET OF PROGRAMS.**—Consistent with the July 16, 1997, recommendations of the Secretary General regarding a sunset policy and results-based budgeting for United Nations programs, the United Nations and each specialized agency has established and is implementing procedures to require all new programs approved by the General Assembly to have a specific sunset date.

**SEC. 104. ACCOUNTABILITY.**

(a) **CERTIFICATION OF CREATION OF INDEPENDENT OVERSIGHT BOARD.**—In accordance with section 601, a certification shall be required that certifies that the following reforms related to the establishment of an Independent Oversight Board (IOB) have been adopted by the United Nations:

(1) An IOB is established from existing United Nations budgetary and personnel resources. Except as provided in this subsection, the IOB shall be an independent entity within the United Nations and shall not be subject to budget authority or organizational authority of any entity within the United Nations.

(2) The head of the IOB shall be a Director, who shall be nominated by the Secretary General and who shall be subject to Security Council approval by a majority vote. The IOB shall also consist of four other board members who shall be nominated by the Secretary General

and subject to Security Council approval by a majority vote. The IOB shall be responsible to the Security Council and the Director and board members shall each serve terms of six years, except that the terms of the initial board shall be staggered so that no more than two board members' terms will expire in any one year. No board member may serve more than two terms. An IOB board member may be removed for cause by a majority vote of the Security Council. The Director shall appoint a professional staff headed by a Chief of Staff and may employ contract staff as needed.

(3) The IOB shall receive operational and budgetary funding through appropriations by the General Assembly from existing levels of United Nations budgetary and personnel resources, and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.

(4) While the IOB shall have the authority to evaluate all operations of the United Nations, the primary mission of the IOB is to oversee the Office of Internal Oversight Services and the Board of External Auditors. The IOB may direct the Office of Internal Oversight Services or the Board of External Auditors to initiate, abandon, or modify the scope of an investigation. Every three months or more frequently when appropriate, the IOB shall submit, as appropriate, to the Secretary General, the Security Council, the General Assembly, or the Economic and Social Council a report on its activities, relevant observations, and recommendations relating to its audit operations, including information relating to the inventory and status of investigations by the Office of Internal Oversight Services.

(5) In extraordinary circumstances and with the concurrence of the Secretary General or the Security Council by majority vote, the IOB may augment the Office of Internal Oversight Services with a special investigator and staff consisting of individuals who are not employees of the United Nations, to investigate matters involving senior officials of the United Nations or of its specialized agencies when allegations of serious misconduct have been made and such a special investigation is necessary to maintain public confidence in the integrity of the investigation. A special investigator and staff shall comply with all United Nations financial disclosure and conflict of interest rules, including the filing of an individual Annual Financial Disclosure Form in accordance with subsection (c).

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

(b) **CERTIFICATION OF UNITED NATIONS REFORMS OF THE OFFICE OF INTERNAL OVERSIGHT SERVICES.**—In accordance with section 601, a certification shall be required that certifies that the following reforms related to the Office of Internal Oversight Services (OIOS) have been adopted by the United Nations:

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

(2) The regular assessed budget of the United Nations shall fully fund the Internal Oversight Budget from existing levels of United Nations budgetary and personnel resources and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.

(3) All United Nations officials, including officials from any entity, bureau, division, department, or specialized agency of the United Nations, may—

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

(B) report to the OIOS information or allegations of misconduct or inefficiencies within the United Nations.

(4) The OIOS may, *sua sponte*, initiate and conduct an investigation or audit of any entity, bureau, division, department, specialized agency, employee (including the Secretary General) of the United Nations, including any employee of the specialized agencies of the United Nations, or contractor or consultant for the United Nations or its specialized agencies.

(5) At least every three months and more frequently when appropriate, the OIOS shall submit to the IOB a report containing an inventory and status of its investigations.

(6) The OIOS shall establish procedures for providing "whistle-blower" status and employment protections for all employees of the United Nations, including employees of the specialized agencies of the United Nations, who provide informational leads and testimony related to allegations of wrongdoing. Such procedures shall be adopted throughout the United Nations. Such status and protection may not be conferred on the Secretary General.

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

(8) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Specialized Agencies and Funds and Programs who shall be responsible for supervising the OIOS liaison or oversight duties for each of the specialized agencies and funds and programs of the United Nations. With the concurrence of the Director, the Associate Director of OIOS for Specialized Agencies and Funds and Programs may, from existing levels of United Nations budgetary and personnel resources, hire and appoint necessary OIOS staff, including staff serving within and located at specialized agencies and funds and programs permanently or as needed to liaison with existing audit functions within each specialized agency and fund and program.

(9) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Peacekeeping Operations, who shall be responsible for the oversight and auditing of the field offices attached to United Nations peacekeeping operations. The Associate Director of OIOS for Peacekeeping Operations shall receive informational leads and testimony from any person regarding allegations of wrongdoing by United Nations officials or peacekeeping troops or regarding inefficiencies associated with United Nations peacekeeping operations. The Associate Director of OIOS for Peacekeeping Operations shall be responsible for initiating, conducting, and overseeing investigations within peacekeeping operations.

(10) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Procurement and Contract Integrity, who shall be responsible for auditing and inspecting procurement and contracting within the United Nations, including within the specialized agencies. The Associate Director of OIOS for Procurement and Contract Integrity shall receive informational leads and testimony from any person regarding allegations of wrongdoing by United Nations officials or regarding inefficiencies associated with United Nations procurement or contracting activities. The Associate Director of OIOS for Procurement and Contract Integrity shall be responsible for initiating, conducting, and overseeing investigations of procurement and contract activities. Not later than 12 months after the establishment of the position of Associate Director of OIOS for Procurement and Contract Integrity, the Director, with the assistance of the Associate Director of OIOS for

Procurement and Contract Integrity, shall undertake a review of contract procedures to ensure that practices and policies are in place to ensure that—

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

(B) the United Nations has established effective controls to prevent conflicts of interest in the award of contracts; and

(C) the United Nations has established effective procedures and policies to ensure effective and comprehensive oversight and monitoring of United Nations contract performance.

(c) **CERTIFICATION OF ESTABLISHMENT OF UNITED NATIONS OFFICE OF ETHICS.**—In accordance with section 601, a certification shall be required that certifies that the following reforms related to the establishment of a United Nations Office of Ethics have been adopted by the United Nations:

(1) A United Nations Office of Ethics (UNOE) is established. The UNOE shall be an independent entity within the United Nations and shall not be subject to budget authority or organizational authority of any entity within the United Nations. The UNOE shall be responsible for establishing, managing, and enforcing a code of ethics for all employees of United Nations and its specialized agencies. The UNOE shall also be responsible for providing such employees with annual training related to such code. The head of the UNOE shall be a Director who shall be nominated by the Secretary General and who shall be subject to Security Council approval by majority vote.

(2) The UNOE shall receive operational and budgetary funding through appropriations by the General Assembly from existing levels of United Nations budgetary and personnel resources and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.

(3) The Director of the UNOE shall, not later than six months after the date of its establishment, publish a report containing proposals for implementing a system for the filing and review of individual Annual Financial Disclosure Forms by each employee of the United Nations, including by each employee of its specialized agencies, at the P-5 level and above and by all contractors and consultants compensated at any salary level. Such system shall be in place and operational not later than six months after the date of the publication of the report. Such completed forms shall be made available to the Office of Internal Oversight Services at the request of the Director of the Office of Internal Oversight Services. Such system shall seek to identify and prevent conflicts of interest by United Nations employees and shall be comparable to the system used for such purposes by the United States Government. Such report shall also address broader reforms of the ethics program for the United Nations, including—

(A) the effect of the establishment of ethics officers throughout all organizations within the United Nations;

(B) the effect of retention by the UNOE of Annual Financial Disclosure Forms;

(C) proposals for making completed Annual Financial Disclosure Forms available to the public on request through their Member State's mission to the United Nations;

(D) proposals for annual disclosure to the public of information related to the annual salaries and payments, including pension payments and buyouts, of employees of the United Nations, including employees of its specialized agencies, and of consultants;

(E) proposals for annual disclosure to the public of information related to per diem rates for all bureaus, divisions, departments, or specialized agencies within the United Nations;

(F) proposals for disclosure upon request by the Ambassador of a Member State of informa-

tion related to travel and per diem payments made from United Nations funds to any person; and

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

(d) **CERTIFICATION OF UNITED NATIONS ESTABLISHMENT OF POSITION OF CHIEF OPERATING OFFICER.**—In accordance with section 601, a certification shall be required that certifies that the following reforms related to the establishment of the position of a Chief Operating Officer have been adopted by the United Nations:

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

(2) The COO shall be responsible for formulating general policies and programs for the United Nations in coordination with the Secretary General and in consultation with the Security Council and the General Assembly. The COO shall be responsible for the daily administration, operation and supervision, and the direction and control of the business of the United Nations. The Chief Operating Officer shall also perform such other duties and may exercise such other powers as from time to time may be assigned to the COO by the Secretary General.

(e) **CERTIFICATION OF ACCESS BY MEMBER STATES TO REPORTS AND AUDITS BY BOARD OF EXTERNAL AUDITORS.**—In accordance with section 601, a certification shall be required that certifies that Member States may, upon request, have access to all reports and audits completed by the Board of External Auditors.

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

The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to work toward adoption by the General Assembly of—

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

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

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

The United States shall withhold from United States contributions to the regular assessed budget of the United Nations for a biennial period amounts that are proportional to the percentage of such budget that are expended with respect to a United Nations human rights treaty monitoring body or committee that was established by—

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

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

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

(a) **INCLUSION OF ISRAEL IN WEOG.**—

(1) **IN GENERAL.**—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States to expand the Western European and Others Group (WEOG) in the United Nations to include Israel as a permanent member with full rights and privileges.

(2) **NOTIFICATION TO CONGRESS.**—Not later than six months after the date of the enactment of this Act and every six months thereafter for the next two years, the Secretary of State shall notify the appropriate congressional committees concerning the treatment of Israel in the United Nations and the expansion of WEOG to include Israel as a permanent member.

(b) **DEPARTMENT OF STATE REVIEW AND REPORT.**—

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

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

(B) submit to the appropriate congressional committees a report containing recommendations for the elimination of such duplicative entities and efforts.

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

(A) The United Nations Division for Palestinian Rights.

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

(C) The United Nations Special Coordinator for the Middle East Peace Process and Personal Representative to the Palestine Liberation Organization and the Palestinian Authority.

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

(c) **IMPLEMENTATION BY PERMANENT REPRESENTATIVE.**—

(1) **IN GENERAL.**—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek the implementation of the recommendations contained in the report required under subsection (b)(1).

(2) **WITHHOLDING OF FUNDS.**—Until such recommendations have been implemented, the United States shall withhold from United States contributions to the regular assessed budget of the United Nations for a biennial period amounts that are proportional to the percentage of such budget that are expended for such entities.

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

(1) the status of the implementation of the recommendations contained in the report required under subsection (b)(1); and

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

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

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and one year thereafter, the Secretary shall submit to the appropriate congressional committees a report on United Nations reform since 1990.

(b) **CONTENTS.**—The report required under paragraph (1) shall describe—

(1) the status of the implementation of management reforms within the United Nations and its specialized agencies;

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

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

(4) the status of the review by the General Assembly of all mandates older than five years and how resources have been redirected to new challenges, consistent with such March 2005 report of the Secretary General; and

(5) the continued utility and relevance of the Economic and Financial Committee and the Social, Humanitarian, and Cultural Committee, in light of the duplicative agendas of those committees and the Economic and Social Council.

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

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

(1) concerning the progress of the General Assembly to modernize human resource practices,

consistent with the March 2005 report of the Secretary General entitled "In larger freedom: towards development, security and human rights for all"; and

(2) containing the information described in subsection (b).

(b) CONTENTS.—The report shall include—

(1) a comprehensive evaluation of human resources reforms at the United Nations, including an evaluation of—

(A) tenure;

(B) performance reviews;

(C) the promotion system;

(D) a merit-based hiring system and enhanced regulations concerning termination of employment of employees; and

(E) the implementation of a code of conduct and ethics training;

(2) the implementation of a system of procedures for filing complaints and protective measures for work-place harassment, including sexual harassment;

(3) policy recommendations relating to the establishment of a rotation requirement for non-administrative positions;

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

(5) policy recommendations relating to a reduction in travel allowances and attendant oversight with respect to accommodations and airline flights; and

(6) an evaluation of the recommendations of the Secretary General relating to greater flexibility for the Secretary General in staffing decisions to accommodate changing priorities.

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

### **SEC. 201. HUMAN RIGHTS.**

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to ensure that a credible and respectable Human Rights Council or other human rights body is established within the United Nations whose participating Member States uphold the values embodied in the Universal Declaration of Human Rights.

(b) HUMAN RIGHTS REFORMS AT THE UNITED NATIONS.—The President shall direct the United States Permanent Representative to the United Nations to ensure that the following human rights reforms have been adopted by the United Nations:

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

(2) A Member State shall be ineligible for membership on any United Nations human rights body if such Member State is—

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

(B) under a Security Council-mandated investigation for human rights abuses.

(3) A Member State that is currently subject to an adopted country specific resolution, in the principal body in the United Nations for the promotion and protection of human rights, relating to human rights abuses perpetrated by the government of such country in such country, or has been the subject of such an adopted country specific resolution in such principal body within the previous three years, shall be ineligible for membership on any United Nations human rights body. For purposes of this subsection, an adopted country specific resolution shall not include consensus resolutions on advisory services.

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

(5) No human rights body has a standing agenda item that relates only to one country or region.

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

(d) PREVENTION OF ABUSE OF "NO ACTION" MOTIONS.—The United States Permanent Representative shall work to prevent abuse of "no action" motions, particularly as such motions relate to country specific resolutions.

(e) OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS.—

(1) STATEMENT OF POLICY.—It shall be the policy of the United States to continue to strongly support the Office of the United Nations High Commissioner for Human Rights.

(2) CERTIFICATION.—In accordance with section 601, a certification shall be required that certifies that the Office of the United Nations High Commissioner for Human Rights has been given greater authority in field operation activities, such as in the Darfur region of Sudan and in the Democratic Republic of the Congo, in furtherance of the purpose and mission of the United Nations.

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

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

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

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

(3) ensure that after candidate countries are nominated for membership on the Commission on Human Rights, the Economic and Social Council conducts a recorded vote to determine such membership.

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

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

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

(a) ENFORCEMENT AND COMPLIANCE.—

(1) OFFICE OF COMPLIANCE.—

(A) ESTABLISHMENT.—The President shall direct the United States Permanent Representative to International Atomic Energy Agency (IAEA) to use the voice, vote, and influence of the United States at the IAEA to establish an Office of Compliance in the Secretariat of the IAEA.

(B) OPERATION.—The Office of Compliance shall—

(i) function as an independent body composed of technical experts who shall work in consultation with IAEA inspectors to assess compliance by IAEA Member States and provide recommendations to the IAEA Board of Governors concerning penalties to be imposed on IAEA Member States that fail to fulfill their obligations under IAEA Board resolutions;

(ii) base its assessments and recommendations on IAEA inspection reports; and

(iii) shall take into consideration information provided by IAEA Board Members that are one of the five nuclear weapons states as recognized by the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483) (commonly referred to as the "Nuclear Nonproliferation Treaty" or the "NPT").

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

(2) SPECIAL COMMITTEE ON SAFEGUARDS AND VERIFICATION.—

(A) ESTABLISHMENT.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to establish a Special Committee on Safeguards and Verification.

(B) RESPONSIBILITIES.—The Special Committee shall—

(i) improve the ability of the IAEA to monitor and enforce compliance by Member States of the IAEA with the Nuclear Nonproliferation Treaty and the Statute of the International Atomic Energy Agency; and

(ii) consider which additional measures are necessary to enhance the ability of the IAEA, beyond the verification mechanisms and authorities contained in the Additional Protocol to the Safeguards Agreements between the IAEA and Member States of the IAEA, to detect with a high degree of confidence undeclared nuclear activities by a Member State.

(3) PENALTIES.—

(A) IN GENERAL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that a Member State of the IAEA that is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations has its privileges suspended, including—

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

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

(iii) being prevented from hosting meetings.

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

(b) UNITED STATES CONTRIBUTIONS.—

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

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

(A) ensure that funds for safeguards inspections are prioritized for countries that have newly established nuclear programs or are initiating nuclear programs; and

(B) block the allocation of funds for any other IAEA development, environmental, or nuclear science assistance or activity to a country—

(i) the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or other provision of law, is a government that has repeatedly provided support for acts of international terrorism and the government of which the Secretary has determined has not dismantled and surrendered its weapons of mass destruction programs under international verification;

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

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

(3) DETAIL OF EXPENDITURES.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to secure, as part of the regular budget presentation of the IAEA to Member States of the IAEA, a detailed breakdown by country of expenditures of the IAEA for safeguards inspections and nuclear security activities.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to block the membership on the Board of Governors of the IAEA for a Member State of the IAEA that has not signed and ratified the Additional Protocol and—

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

(B) that is in violation of its IAEA obligations or the purposes and principles of the Charter of the United Nations.

(2) CRITERIA.—The United States Permanent Representative to the IAEA shall make every effort to modify the criteria for Board membership to reflect the principles described in paragraph (1).

(d) REPORT.—Not later than six months after the date of the enactment of this Act and annually for two years thereafter, the President shall submit to the appropriate congressional committees a report on the implementation of this section.

#### SEC. 302. SENSE OF CONGRESS REGARDING THE NUCLEAR SECURITY ACTION PLAN OF THE IAEA.

It is the sense of Congress that the national security interests of the United States are enhanced by the Nuclear Security Action Plan of the IAEA and the Board of Governors should recommend, and the General Conference should adopt, a resolution incorporating the Nuclear Security Action Plan into the regular budget of the IAEA.

### TITLE IV—PEACEKEEPING

#### SEC. 401. SENSE OF CONGRESS REGARDING REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.

It is the sense of Congress that—

(1) although United Nations peacekeeping operations have contributed greatly toward the promotion of peace and stability for the past 57 years and the majority of peacekeeping personnel who have served under the United Nations flag have done so with honor and courage, the record of United Nations peacekeeping has been severely tarnished by operational failures and unconscionable acts of misconduct; and

(2) if the reputation of and confidence in United Nations peacekeeping operations is to be restored, fundamental and far-reaching reforms, particularly in the areas of planning, management, training, conduct, and discipline, must be implemented without delay.

#### SEC. 402. STATEMENT OF POLICY RELATING TO REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.

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

(1) PLANNING AND MANAGEMENT.—

(A) GLOBAL AUDIT.—As the size, cost, and number of United Nations peacekeeping operations have increased substantially over the past decade, an independent audit of each such operation, with a view toward “right-sizing” operations and ensuring that such operations are cost effective, should be conducted and its findings reported to the Security Council.

(B) REVIEW OF MANDATES AND CLOSING OPERATIONS.—In conjunction with the audit described in subparagraph (A), the United Nations Department of Peacekeeping Operations should conduct a comprehensive review of all United Nations peacekeeping operation mandates, with a view toward identifying objectives that are practical and achievable, and report its findings to the Security Council. In particular, the review should consider the following:

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

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

(iii) Where there is legitimate concern that the withdrawal from a country of an otherwise static United Nations peacekeeping operation would result in the resumption of major conflict, a burden-sharing arrangement that reduces the level of assessed contributions, similar to that currently supporting the United Nations Peacekeeping Force in Cyprus, should be explored and instituted.

(C) LEADERSHIP.—As peacekeeping operations become larger and increasingly complex, the Secretariat should adopt a minimum standard of qualifications for senior leaders and managers, with particular emphasis on specific skills and experience, and current senior leaders and managers who do not meet those standards should be removed or reassigned.

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

(2) CONDUCT AND DISCIPLINE.—

(A) ADOPTION OF A UNIFORM CODE OF CONDUCT.—A single, uniform Code of Conduct that has the status of a binding rule and applies equally to all personnel serving in United Nations peacekeeping operations, regardless of category or rank, should be promulgated, adopted, and enforced.

(B) UNDERSTANDING THE CODE OF CONDUCT.—All personnel, regardless of category or rank, should receive training on the Code of Conduct prior to deployment with a peacekeeping operation, in addition to periodic follow-on training. In particular—

(i) all personnel, regardless of category or rank, should be provided with a personal copy of the Code of Conduct that has been translated into the national language of such personnel, regardless of whether such language is an official language of the United Nations;

(ii) all personnel, regardless of category or rank, should sign an oath that each has received a copy of the Code of Conduct, that each pledges to abide by the Code of Conduct, and that each understands the consequences of violating the Code of Conduct, including immediate termination of the participation of such personnel in the peacekeeping operation to which such personnel is assigned as a condition of appointment to such operation; and

(iii) peacekeeping operations should conduct educational outreach programs to reach local communities where peacekeeping personnel of such operations are based, including explaining prohibited acts on the part of United Nations peacekeeping personnel and identifying the individual to whom the local population may direct complaints or file allegations of exploitation, abuse, or other acts of misconduct.

(C) MONITORING MECHANISMS.—Dedicated monitoring mechanisms, such as the Personnel Conduct Units already deployed to support United Nations peacekeeping operations in Haiti, Liberia, Burundi, and the Democratic Republic of Congo, should be present in each operation to monitor compliance with the Code of Conduct, and—

(i) should report simultaneously to the Head of Mission, the United Nations Department of Peacekeeping Operations, and the Associate Director of OIOS for Peacekeeping Operations (established under section 104(b)(10)); and

(ii) should be tasked with designing and implementing mission-specific measures to prevent misconduct, conduct follow-on training for personnel, coordinate community outreach programs, and assist in investigations, as OIOS determines necessary and appropriate.

(D) INVESTIGATIONS.—A permanent, professional, and independent investigative body should be established and introduced into United Nations peacekeeping operations. In particular—

(i) the investigative body should include professionals with experience in investigating sex crimes, as well as experts who can provide guidance on standards of proof and evidentiary requirements necessary for any subsequent legal action;

(ii) provisions should be included in a Model Memorandum of Understanding that obligate Member States that contribute troops to a peacekeeping operation to designate a military prosecutor who will participate in any investigation into an allegation of misconduct brought against an individual of such Member State, so that evidence is collected and preserved in a manner consistent with the military law of such Member State;

(iii) the investigative body should be regionally based to ensure rapid deployment and should be equipped with modern forensics equipment for the purpose of positively identifying perpetrators and, where necessary, for determining paternity; and

(iv) the investigative body should report directly to the Associate Director of OIOS for Peacekeeping Operations, while providing copies of any reports to the Department of Peacekeeping Operations, the Head of Mission, and the Member State concerned.

(E) FOLLOW-UP.—A dedicated unit, similar to the Personnel Conduct Units, staffed and funded through existing resources, should be established within the headquarters of the United Nations Department of Peacekeeping Operations and tasked with—

(i) promulgating measures to prevent misconduct;

(ii) coordinating allegations of misconduct, and reports received by field personnel; and

(iii) gathering follow-up information on completed investigations, particularly by focusing on disciplinary actions against the individual concerned taken by the United Nations or by the Member State that is contributing troops to which such individual belongs, and sharing such information with the Security Council, the Head of Mission, and the community hosting the peacekeeping operation.

(F) FINANCIAL LIABILITY AND VICTIMS ASSISTANCE.—Although peacekeeping operations should provide immediate medical assistance to victims of sexual abuse or exploitation, the responsibility for providing longer-term treatment, care, or restitution lies solely with the individual found guilty of the misconduct. In particular, the following reforms should be implemented:

(i) The United Nations should not assume responsibility for providing long-term treatment or compensation by creating a “Victims Trust Fund”, or any other such similar fund, financed through assessed contributions to United Nations peacekeeping operations, thereby shielding individuals from personal liability and reinforcing an atmosphere of impunity.

(ii) If an individual responsible for misconduct has been repatriated, reassigned, redeployed, or is otherwise unable to provide assistance, responsibility for providing assistance to a victim should be assigned to the Member State that contributed the troops to which such individual belonged or to the manager concerned.

(iii) In the case of misconduct by a member of a military contingent, appropriate funds shall be withheld from the troop contributing country concerned.

(iv) In the case of misconduct by a civilian employee or contractor of the United Nations, appropriate wages shall be garnished from such individual or fines shall be imposed against such individual, consistent with existing United Nations Staff Rules.

(G) MANAGERS AND COMMANDERS.—The manner in which managers and commanders handle

cases of misconduct by those serving under them should be included in their individual performance evaluations, so that managers and commanders who take decisive action to deter and address misconduct are rewarded, while those who create a permissive environment or impede investigations are penalized or relieved of duty, as appropriate.

(H) **DATA BASE.**—A centralized data base should be created and maintained within the United Nations Department of Peacekeeping Operations to track cases of misconduct, including the outcome of investigations and subsequent prosecutions, to ensure that personnel who have engaged in misconduct or other criminal activities, regardless of category or rank, are permanently barred from participation in future peacekeeping operations.

(I) **WELFARE.**—Peacekeeping operations should assume responsibility for maintaining a minimum standard of welfare for mission personnel to ameliorate conditions of service, while adjustments are made to the discretionary welfare payments currently provided to Member States that contribute troops to offset the cost of operation-provided recreational facilities.

(3) **PEACEBUILDING COMMISSION.**—

(A) **ESTABLISHMENT.**—Consistent with the recommendations of the High Level Panel Report, the United Nations should establish a Peacebuilding Commission, supported by a Peacebuilding Support Office, to marshal the efforts of the United Nations, international financial institutions, donors, and non-governmental organizations to assist countries in transition from war to peace.

(B) **STRUCTURE AND MEMBERSHIP.**—The Commission should—

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

(ii) include members of the United Nations Security Council, major donors, major troop contributing countries, appropriate United Nations organizations, the World Bank, and the International Monetary Fund; and

(iii) invite the President of ECOSOC, regional actors, Member States that contribute troops, regional development banks, and other concerned parties that are not already members, as determined appropriate, to consult or participate in meetings as observers.

(C) **RESPONSIBILITIES.**—The Commission should seek to ease the demands currently placed upon the Department of Peacekeeping Operations to undertake tasks that fall beyond the scope of traditional peacekeeping, by—

(i) developing and integrating country-specific and system-wide conflict prevention, post-conflict reconstruction, and long-term development policies and strategies; and

(ii) serving as the key coordinating body for the design and implementation of military, humanitarian, and civil administration aspects of complex missions.

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

**SEC. 403. CERTIFICATION.**

(a) **NEW OR EXPANDED PEACEKEEPING OPERATIONS CONTINGENT UPON PRESIDENTIAL CERTIFICATION OF PEACEKEEPING OPERATIONS REFORMS.**—

(1) **NO NEW OR EXPANDED PEACEKEEPING OPERATIONS.**—

(A) **CERTIFICATION.**—Except as provided in subparagraph (B), until the Secretary of State certifies that the requirements described in paragraph (2) have been satisfied, the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to oppose the creation of new, or expansion of existing, United Nations peacekeeping operations.

(B) **EXCEPTION AND NOTIFICATION.**—The requirements described under subparagraphs (F)

and (G) of paragraph (2) may be waived until January 1, 2007, if the President determines that such is in the national interest of the United States. If the President makes such a determination, the President shall, not later than 15 days before the exercise of such waiver, notify the appropriate congressional committees of such determination and resulting waiver.

(2) **CERTIFICATION OF PEACEKEEPING OPERATIONS REFORMS.**—The certification referred to in paragraph (1) is a certification made by the Secretary to the appropriate congressional committees that the following reforms, or an equivalent set of reforms, related to peacekeeping operations have been adopted by the United Nations Department of Peacekeeping Operations or the General Assembly, as appropriate:

(A) A single, uniform Code of Conduct that has the status of a binding rule and applies equally to all personnel serving in United Nations peacekeeping operations, regardless of category or rank, has been adopted by the General Assembly and mechanisms have been established for training such personnel concerning the requirements of the Code and enforcement of the Code.

(B) All personnel, regardless of category or rank, serving in a peacekeeping operation have been trained concerning the requirements of the Code of Conduct and each has been given a personal copy of the Code, translated into the national language of such personnel.

(C) All personnel, regardless of category or rank, are required to sign an oath that each has received a copy of the Code of Conduct, that each pledges to abide by the Code, and that each understands the consequences of violating the Code, including the immediate termination of the participation of such personnel in the peacekeeping operation to which such personnel is assigned as a condition of the appointment to such operation.

(D) All peacekeeping operations have designed and implemented educational outreach programs to reach local communities where peacekeeping personnel of such operations are based to explain prohibited acts on the part of United Nations peacekeeping personnel and to identify the individual to whom the local population may direct complaints or file allegations of exploitation, abuse, or other acts of misconduct.

(E) A centralized data base has been created and is being maintained in the United Nations Department of Peacekeeping Operations that tracks cases of misconduct, including the outcomes of investigations and subsequent prosecutions, to ensure that personnel, regardless of category or rank, who have engaged in misconduct or other criminal activities are permanently barred from participation in future peacekeeping operations.

(F) A Model Memorandum of Understanding between the United Nations and each Member State that contributes troops to a peacekeeping operation has been adopted by the United Nations Department of Peacekeeping Operations that specifically obligates each such Member State to—

(i) designate a competent legal authority, preferably a prosecutor with expertise in the area of sexual exploitation and abuse, to participate in any investigation into an allegation of misconduct brought against an individual of such Member State;

(ii) refer to its competent national or military authority for possible prosecution, if warranted, any investigation of a violation of the Code of Conduct or other criminal activity by an individual of such Member State;

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

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

(v) assume responsibility for the provision of appropriate assistance to a victim of misconduct

committed by an individual of such Member State.

(G) A professional and independent investigative and audit function has been established within the United Nations Department of Peacekeeping Operations and the OIOS to monitor United Nations peacekeeping operations.

**TITLE V—DEPARTMENT OF STATE AND GOVERNMENT ACCOUNTABILITY OFFICE**

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

The Secretary of State shall make every effort to recruit United States citizens for positions within international organizations.

**SEC. 502. BUDGET JUSTIFICATION FOR REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.**

(a) **DETAILED ITEMIZATION.**—The annual congressional budget justification shall include a detailed itemized request in support of the assessed contribution of the United States to the regular assessed budget of the United Nations.

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

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

(2) compare the amounts requested for the current year with the actual or estimated amounts contributed by the United States in previous fiscal years for the same sections and titles.

(c) **ADJUSTMENTS AND NOTIFICATION.**—If the United Nations proposes an adjustment to its regular assessed budget, the Secretary of State shall, at the time such adjustment is presented to the Advisory Committee on Administrative and Budgetary Questions (ACABQ), notify and consult with the appropriate congressional committees.

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

Not later than six months after the date of the enactment of this Act, the Secretary of State shall conduct a review of programs of the United Nations that are funded through assessed contributions and submit to the appropriate congressional committees a report containing—

(1) the findings of such review; and

(2) recommendations relating to—

(A) the continuation of such programs; and

(B) which of such programs should be voluntarily funded, other than those specified in subparagraphs (A) through (R) of subsection (c)(2) of section 11 of the United Nations Participation Act of 1945, as amended by section 101(c) of this Act.

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

(a) **REPORT ON UNITED NATIONS REFORMS.**—Not later than 12 months after the date of the enactment of this Act and again 12 months thereafter, the Comptroller General of the United States of the Government Accountability Office shall submit to the appropriate congressional committees a report on the status of the 1997, 2002, and 2005 management reforms initiated by the Secretary General and on the reforms mandated by this Act.

(b) **REPORT ON DEPARTMENT OF STATE CERTIFICATIONS.**—Not later than six months after each certification submitted by the Secretary of State to the appropriate congressional committees under this Act and subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act), the Comptroller General shall submit to the appropriate congressional committees a report on each such certification. The Secretary shall provide the Comptroller General with any information required by the Comptroller General to submit any such report.

# **TITLE VI—CERTIFICATIONS AND WITHHOLDING OF CONTRIBUTIONS**

## **SEC. 601. CERTIFICATIONS AND WITHHOLDING OF CONTRIBUTIONS.**

### **(a) CERTIFICATIONS.—**

(1) **IN GENERAL.**—Except as provided in paragraph (3), the certifications required under subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act) and section 103, sections 104(a) through 104(e), sections 201(c) and 201(e), and section 202 of this Act are certifications submitted to the appropriate congressional committees by the Secretary of State that the requirements of each such section have been satisfied with respect to reform of the United Nations.

### **(2) ALTERNATE CERTIFICATION MECHANISM.—**

(A) **IN GENERAL.**—Except as provided in paragraph (3), in the event that the Secretary is unable to submit a certification in accordance with paragraph (1), the Secretary may submit to the appropriate congressional committees, in accordance with subparagraph (B), an alternate certification that certifies that the requirements of the section to which the original certification applies have been implemented through reforms that are substantially similar to the requirements of such section or accomplish the same purposes as the requirements of such section.

(B) **EQUIVALENCY.**—Reforms are substantially similar or accomplish the same purposes if—

(i) such reforms are formally adopted in written form by the entity or committee of the United Nations or of its specialized agency that has authority to enact or implement such reforms or are issued by the Secretariat or the appropriate entity or committee in written form; and

(ii) such reforms are not identical to the reforms required by a particular certification but in the determination of the Secretary will have the same, or nearly the same effect, as such reforms.

### **(C) WRITTEN JUSTIFICATION AND CONSULTATION.—**

(i) **WRITTEN JUSTIFICATION.**—Not later than 30 days before submitting an alternate certification in accordance with subparagraph (A), the Secretary shall submit to the appropriate congressional committees a written justification explaining in detail the basis for such alternate certification.

(ii) **CONSULTATION.**—After the Secretary has submitted the written justification under clause (i), but no later than 15 days before the Secretary exercises the alternate certification mechanism described under subparagraph (A), the Secretary shall consult with the appropriate congressional committees regarding such exercise.

### **(3) LIMITED EXCEPTION FOR SUBSTANTIAL COMPLIANCE.—**

(A) **SUBSTANTIAL COMPLIANCE.**—Subject to subparagraph (B), if at least 32 of the 39 reforms represented by the ten certifications specified under paragraph (1) have been implemented, all such reforms (including the unimplemented reforms) so represented shall be deemed to have been implemented for the year in which the Secretary submits such certifications.

### **(B) MANDATORY IMPLEMENTATION OF CERTAIN REFORMS.—**

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

(I) Subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act).

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

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

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

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

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

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

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

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

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

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

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

(XIII) Section 202(a)(1).

(XIV) Section 202(a)(2).

### **(ii) FULL COMPLIANCE IN SUCCEEDING YEAR.—**

If the unimplemented reforms under subparagraph (A) are not implemented in the year succeeding the year to which subparagraph (A) applies, the provisions of subsection (b) shall apply for such succeeding year.

### **(b) WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—**

(1) **IN GENERAL.**—Except as provided in paragraph (4) and in accordance with paragraph (2), until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall appropriate, but withhold from expenditure, 50 percent of the contributions of the United States to the regular assessed budget of the United Nations for a biennial period.

(2) **AVAILABLE UNTIL EXPENDED.**—The contributions appropriated but withheld from expenditure under paragraph (1) are authorized to remain available until expended.

(3) **APPLICATION WITH RESPECT TO SECTION 11(B) OF THE UNITED NATIONS PARTICIPATION ACT OF 1945.**—Until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), subsection (b) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act) shall be administered as though such section reads as follows: “The Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 11 percent of the amount calculable under subsection (c).”.

### **(4) SECTION 11(D)(3) OF UNITED NATIONS PARTICIPATION ACT OF 1945.—**

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

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

(c) **RELEASE OF FUNDS.**—At such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall transfer to the United Nations amounts appropriated but withheld from expenditure under subsection (b).

### **(d) ANNUAL REVIEWS.—**

(1) **IN GENERAL.**—The Secretary shall conduct annual reviews, beginning one year after the date on which the Secretary submits the final certification (or alternate certification) in accordance with subsection (a), to determine if the United Nations continues to remain in compliance with all such certifications (or alternate certifications). Not later than 30 days after the completion of each such review, the Secretary shall submit to the appropriate congressional committees a report containing the findings of each such review.

(2) **ACTION.**—If during the course of any such review the Secretary determines that the United Nations has failed to remain in compliance with a certification (or an alternate certification) that was submitted in accordance with subsection (a), the 50 percent withholding described under subsection (b) shall re-apply with respect to United States contributions each fiscal year to the regular assessed budget of the United Nations beginning with the fiscal year immediately following such review and subsequent fiscal years until such time as all certifications (or alternate certifications) under subsection (a) have been submitted.

(e) **EFFECTIVE DATE.**—The certifications (or alternate certifications) specified under subsection (a) shall be required with respect to United States contributions towards payment of regular assessed dues of the United Nations for 2007 and subsequent years.

The Acting CHAIRMAN. No amendment to the committee amendment shall be in order, except those printed in House Report 109-32 and amendments en bloc described in section 3 of House Resolution 319.

Each amendment printed in the report shall be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to an amendment, and shall not be subject to a demand for division of the question.

Additional periods of general debate shall be in order as follows, to be equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations:

Number 1, 20 minutes prior to consideration of amendments printed in subpart A of part 1 of the report on the subject of accountability of the United Nations;

Number 2, 10 minutes prior to consideration of amendments printed in subpart B of part 1 of the report on the subject of United Nations peacekeeping operations;

Number 3, 10 minutes prior to consideration of amendments printed in subpart C of part 1 of the report on the subject of the International Atomic Energy Agency;

Number 4, 20 minutes prior to consideration of amendments printed in subpart D of part 1 of the report on the subject of human rights; and,

Number 5, 20 minutes prior to consideration of amendments printed in subpart E of part 1 of the report on the subject of the Oil-for-Food program.

It shall be in order at any time for the chairman of Committee on International Relations or his designee to offer amendments en bloc consisting of amendments printed in part 2 of the report not earlier disposed of or germane modifications of any such amendment. Amendments en bloc shall be considered read, except that modifications shall be reported, shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The original proponent of an amendment included in amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before disposition of the amendment en bloc.

It is now in order to debate the subject of accountability of the United Nations.

The gentleman from California (Mr. ROHRBACHER) and the gentleman from California (Mr. LANTOS) each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. ROHRBACHER).

(Mr. ROHRBACHER asked and was given permission to revise and extend his remarks.)

Mr. ROHRBACHER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I stand here with great pride next to my chairman, the gentleman from Illinois (Mr. HYDE), and recall all the great and wonderful battles that he has fought in his career, and I am so proud to be at his side at this, not the last battle that we will fight, but, as we lead into the sunset of his career, a battle that will be meaningful and remembered, and for which the American people will be grateful that we had his leadership.

Also, I might add, we are grateful for the honorable adversarial relationship that we have on the other side of the aisle, the gentleman from California (Mr. LANTOS), a champion of human rights, a dear friend, and someone who I greatly respect and whose guidance, I might say, has been important to my own career.

We are here today to take up the bill named for the gentleman from Illinois (Mr. HYDE), the Henry Hyde United Nations Reform Act of 2005. This bill will reform the United Nations in a meaningful and lasting way, especially in the arena of accountability.

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Reform is vital in this area. And if anyone should doubt that, they only need look at the Oil-for-Food scandal which my subcommittee, under the leadership of the gentleman from Illinois (Mr. HYDE), has been investigating. The Oil-for-Food scandal, let us remember what it was. The Oil-for-Food program was set up in order to make sure that the women and children and noncombatants of Iraq did not die of lack of food and medicines because of an oil boycott that we had put, the United Nations had placed, on Iraq under Saddam Hussein's regime as a way of pressuring Saddam Hussein to give up his chemical and biological weapons, weapons of mass destruction, and to continue, and to refrain from his hostile acts like the invasion of Kuwait.

Unfortunately, the Oil-for-Food scandal is what happened to the Oil-for-Food program. We decided to establish a program, the Oil-for-Food program, which would permit the Iraqi regime to sell a certain amount of oil under United Nations supervision and to use the resources from that sale to purchase a certain amount of humanitarian supplies to help the so-called starving women and children of Iraq so these people would not be necessarily harmed.

Right from the beginning, as the United Nations organized the program,

Saddam Hussein, this vicious dictator, this mass murderer, was able to choose the buyers for Iraq's oil, as well as the suppliers of humanitarian goods, which would then be the product of the sale of that oil. What do you expect will happen when that is the way it is organized? And why was it organized that way? It was organized that way because it was a United Nations program.

Let us note that our allies, including France and Russia, who had demanded that we have an Oil-for-Food program to help those poor and starving Iraqi children, that as we put the program in place, instead of helping us, they became hindrances to our making sure that the program was run in an honest way. Saddam Hussein was able to demand kickbacks and surcharges for the sale of oil and the purchase of humanitarian goods. Our allies were all too willing to pay those kickbacks. These are the same ones who pressured us to establish the program.

Business was the driving factor, of course, in their decision. But let us note that another driving factor was the fact that we have uncovered that as part of the Oil-for-Food program bribes were being channeled to people in those very governments, and perhaps that had something to do with the decision-making process of our so-called allies.

Of the estimated \$65 billion in oil sales during the time of the Oil-for-Food program, perhaps as much as \$10 billion was siphoned off by Saddam Hussein, this mass murderer, and this \$10 billion, which was supposed to be going to the Iraqi people to alleviate their suffering.

A United Nations-sanctioned inquiry led by Federal Reserve Bank chairman Paul Volcker has unearthed these evidences of kickbacks paid, for example, to the former director of the Oil-for-Food program in the United Nations. Thus we are saying that it was a United Nations program and the Oil-for-Food program resources were used to bribe Benon Sevan, United Nations official who oversaw the program who had been appointed by Secretary-General Kofi Annan and was a close confidant of Kofi Annan.

The Volcker Commission also published evidence detailing the destruction of documents about the Oil-for-Food program as late as last year by Annan's former chief of staff, Iqbal Riza.

The House International Relations Committee has been investigating the United Nations Oil-for-Food program since March of 2004. The oversight of the Oil-for-Food program at the United Nations itself was undercut by the weak institutional oversight management structures in the United Nations itself. The United Nations, as it was organized, as it is organized unless we act today, bears a great deal of the responsibility for the failure of these type of programs like the Oil-for-Food program.

There is not a culture of openness at the United Nations nor is the structure

open, but instead a closed structure and a culture of arrogance. The United Nations Office of Internal Oversight Services, for example, was denied adequate funding and manpower needed to properly audit the Oil-for-Food program. If they were not given the proper resources, why would we expect it not to be corrupted, especially when dealing with the likes of Saddam Hussein?

Saddam provided gifts from \$10,000 to \$25,000 to families of Palestinian suicide bombers with the kickback money that he received from the Oil-for-Food program. And let us note something else. If you want to find out what this program did and the power it gave Saddam Hussein, and the corruption of this idea of saving innocent women and children as a program officiated over by the United Nations, let us recall a speech in this body, not too long ago.

The President of the United States gave his State of the Union message here and introduced us to a lady sitting next to his wife, the first lady. Next to her was an Iraqi woman whose father had been assassinated by Saddam Hussein because he was a human rights activist. How was the assassin paid off? We have traced back the payment of the assassin of the woman who joined us for the State of the Union, the assassin of that woman's father, we have traced back that payment to a man who received the money from Saddam Hussein, and it was channeled through this United Nations program; and the money ended up going through a United Nations program to an assassin who murdered the father of the woman who was introduced to us because he was a human rights activist.

If ever there was a travesty, it is this. Saddam Hussein was manipulating the program; and the United Nations, it seems, if not willing to go along with Saddam Hussein, was certainly not willing to go along with the reforms that would have corrected the program.

Without approval, the New York office of the Banque de Paris, or Paribas, this was the bank that oversaw the Oil-for-Food program, the U.N.'s bank for the program made unauthorized payments from the program to so-called third parties on more than 400 occasions. These third parties where the unauthorized payments were made went to people that they had no idea who they were giving the money to. We have yet to be able to trace back who actually runs the corporations who received over 400 payments from the bank that ran this Oil-for-Food program, all of this, of course, under the United Nations' direction.

Now, that is the Oil-for-Food program. We could go on about that for hours. But there are other problems at the U.N. which we need to mention, the nepotism at the United Nations. We have seen over and over again people hiring their children. We have seen situations where, for example, Benon Sevan sold his vouchers to a company in which his stepdaughter was hired,

which was in violation of U.N. job violation rules. And let us note former Secretary Boutros Boutros Ghali's nephew.

Neoptism is rampant at the U.N. Maurice Strong, a long-time U.N. official and confidant of Secretary General Annan, hired his stepdaughter Kristina Mayo for a U.N. job in violation of U.N. staff regulations. Benon Sevan allegedly sold his oil vouchers to a company run by former Secretary General Boutros Boutros Ghali's nephew. Moreover, this deal with Sevan was set up by Fred Nadler, Boutros Ghali's brother-in-law.

Strong has also been tainted by his association with the Tongsun Park, from the Koreagate scandal, against whom a complaint was filed by the U.S. Attorney in the Southern District of New York in April. Park was attempting to illicitly influence "a U.N. official" through Iraqi Oil-For-Food money. Strong has confirmed that he was that U.N. official but denies wrongdoing.

The WMO in Geneva, Switzerland, a long-time WMO employee and Sudanese national was accused of skimming \$3 million from accounts at the organization over a 3-4 year period. The funds were lost to this corruption and they will likely never be recovered.

He is said to have faked his death to avoid investigation. Accordingly, his wife presented a death certificate, acknowledged by Sudanese authorities to have been false, in order to claim his U.N. pension, which the U.N. has withheld pending the results of a full investigation being conducted by the Swiss authorities at the request of the WMO.

WMO authorities believe that ultimately there are 10-15 other WMO employees who could be viewed as negligent or even gross negligence.

The WMO Senior Legal Advisor reported that while bad, "the internal procedures were not the worst seen in the U.N. family of organizations."

At WIPO, also in Geneva, Michael Wilson, an Annan family friend, is being investigated by a Swiss judge on charges of bribing a senior official at WIPO to win a renovation contract on the agency's headquarters. The WIPO official acknowledges receiving \$270,000 from Wilson. Wilson claims the money was from a private business venture.

There are also allegations of employee skimming of WIPO agency funds related to the renovation.

Prior to Operation Iraqi Freedom, the agency coordinated with international relief agencies and U.N. member states to relieve the suffering of the Iraqi people.

In January of 1998, \$43,701 had to be recovered from staff members no longer at the mission as well as outstanding obligations of \$328,287 in November 1997 for the UNOHCI.

The audit revealed that an inventory of physical assets in May 1998 discovered that 185 items totaling \$100,994 could not be accounted for.

The United Nations Claims Commission (UNCC) processes claims for losses and damage suffered as a direct result of Iraq's unlawful invasion and occupation of Kuwait in 1990-91.

In an audit of the UNCC's awards, the OIOS viewed the present system resulted in overpayments of \$2,170,951 to the claimants in the 10th installment. Furthermore, in the absence of relevant information, OIOS estimates

that UNCC has overpaid by \$.51 billion to date for other claims. In addition, it is estimated that UNCC would overpay future claims by \$1.27 billion, under the current exchange rate procedures."

The United Nations Population Fund and U.N. Environment Program promotes environmental and population strategies among member governments.

In a statement before a U.N. Committee in 2004, Thomas Respasch of the U.S. Mission to the U.N. explained, the following extravagant travel expenses of two programs at the U.N.: "In the U.N. Population Fund, we were quite surprised to learn that some senior staff members who spend more than half their time in travel status are racking up travel costs of \$225,000. In the U.N. Environment Program, travel advances to other persons, in the amount of \$82,208, had been outstanding for more than 20 months."

United Nations Office of Drugs and Crime (UNODC) assists member states in their struggle against illicit drugs, crime and terrorism.

In 2003, Samuel Gonzalez-Ruiz, a senior adviser to UNODC, resigned, charging that the office "tolerates administrative and in some cases criminal violations" such as nepotism, mismanagement and misappropriation of funds by agency staff. A U.N. probe into corruption allegations found that "a senior official improperly gave 11 contracts to his wife." In 2003, an OIOS probe found mismanagement by executive director Pino Arlacchi; collapse of \$250 million 10-year plan to eradicate drugs from Afghanistan. Also found evidence of lavish, excessive spending, such as purchase of a \$100,000 Mercedes.

These are but a few of the signs that the U.N. is on the wrong path. But talking about problems is not enough, we must do something about it.

This bill is vital for reform of the United Nations. Chairman HYDE's bill brings real reform to an institution that is quite simply broken.

Regarding the Accountability section of the bill, there is a provision for a special investigator to be assigned to investigate further instances of corruption by high officials of the U.N., such as Benon Sevan.

This bill brings independence to the Office of Internal Oversight Services, OIOS, removing it from under the thumb of political influence at the U.N. and assures OIOS of proper funding to carry out its mission.

This bill creates a U.N. Office of Ethics—an office that after more than a year of investigation into the Oil-for-Food Program has shown—is sorely needed.

Also, the Ethics office will be tasked in this bill with facilitating and operating a system for financial disclosure.

Finally, the bill creates an Independent Oversight Board (IOB) to review the audits of the OIOS and other audit bodies of the U.N. This office is vital to provide proper oversight of the U.N.

What we have certainly discovered about the U.N. in the hearings on the Oil-for-food program that I have held in the subcommittee on Oversight and Investigations in the International Relations Committee, is that the U.N. was corrupted by Saddam Hussein. This bill will go some distance toward repairing this corruption.

I conclude by saying that the U.N. has not been accountable, transparent and it has not been living up to the standards expected of an

institution that receives hundreds of millions of dollars every year from the United States. The American taxpayers deserve more for their money. This is why Chairman HYDE wrote this bill and why we are here today: to fix the U.N. so that the problems exemplified by the Oil-for-Food program as well as others such as the horrific rapes committed by U.N. peacekeepers are never repeated.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, before yielding, let me commend the gentleman from California (Mr. ROHRBACHER) for his powerful statement. And let me commend the gentleman from Illinois (Chairman HYDE) for including in his bill extremely important measures that enhance accountability. I would like to state that the Lantos-Shays substitute which we will present later contains the same measures. We are in full accord on dramatically enhancing accountability at the United Nations.

Mr. ROHRBACHER. Mr. Chairman, would the gentleman yield for one moment?

Mr. LANTOS. Mr. Chairman, I would be delighted to yield to the gentleman from California.

Mr. ROHRBACHER. Mr. Chairman, let me just note that what measures that we have been suggesting in the bill, as you have just underscored, are very reasonable, and the fact that we have bipartisan support on the measures demanding accountability suggest that these are things that the United Nations should not be opposing. This is nothing that should raise the fur up on the back of the necks of any official at the United Nations. So I appreciate the gentleman, and also, all those ladies and gentlemen on the other side of the aisle coming at these issues of accountability in a very bipartisan fashion.

Mr. LANTOS. Mr. Chairman, I thank the gentleman from California (Mr. ROHRBACHER) for his comments.

I am delighted to yield 3 minutes to the gentleman from Iowa (Mr. LEACH), the distinguished chairman of the Asia and Pacific Affairs Subcommittee of the International Relations Committee, my distinguished Republican colleague.

Mr. LEACH. Mr. Chairman, as so ably demonstrated by the gentlemen from California (Mr. LANTOS and Mr. ROHRBACHER), the U.N. is crying out for reform. But let us not forget that the only oath we as Members take is to the Constitution and votes should reflect this obligation, not pique, not ideology, not well-intentioned concern for reform.

Unfortunately, the approach contained in the bill before us contravenes the United Nations charter and undercuts the rule of law. It also misreads the constitutional prerogatives of Congress. It is true that under article 1 we have been given purse-string authority. It is not true that we have been provided the power to negotiate. That authority resides with the executive branch.

There has been a suggestion made that only by threatening the withholding of resources can progress be made at the U.N. This assertion at first blush sounds like commonsense realism. But counterintuitively to utterers of this precept, historical experience reveals that prior U.S. withholding tactics have frequently embarrassed the United States and weakened, rather than strengthened, our diplomatic positions. Nobody likes to be threatened, especially when threats represent breaches of the law of nations.

It is no accident that the Bush administration has voiced opposition to this bill and warned that unilaterally backing out of our financial obligations will undermine our credibility and effectiveness at the U.N.

One obvious issue, especially for my Republican colleagues, is whether deference to the judgment of House leadership in matters of multilateral diplomacy is more compelling than deference to the President. But this quandary is secondary to the issue of the rule of law. The fundamental choice today is between deference to the law or to sovereign impunity.

Any sense of history would suggest that now is not the time to denigrate law. The passions of men, no matter how understandable must be constrained by law if there is any hope for a more peaceful and just world.

Accordingly, I intend to vote for the principal substitute to the committee bill, but against either the committee bill or the substitute on final passage. The former represents a congressional directive that in all likelihood will require the U.S. to declare financial war on the United Nations. The alternative approach, while more restrained, has the effect of authorizing the executive branch to conduct a financial war on the U.N. should the Secretary of State choose to do so. Both presumptuously imply that the United States is free of an international obligation to pay its assessment. This body would be wiser to abide by the rule of law and fidelity to the Constitution, not the politics of the moment.

Finally, Mr. Speaker, it is at times like this I am reminded of the warning of the English philosopher, John Locke, who once suggested that little is more dangerous than a good prince, because that prince is so respected it is hard to object when he may be wrong. HENRY HYDE is not just a good prince, he is a great one. But I fear in this instance he may be wrong, and I would suggest to my colleagues that the most appropriate way to show our esteem is through respectful dissent to the finest in our midst.

Mr. Chairman. At the outset, let me express my appreciation to Chairman HYDE and his staff for reaching out to consult with me as this legislation was developed. Although we have differing perspectives on this bill, I have the utmost respect for our distinguished Chairman, as well as his staff, who are among the finest on Capitol Hill.

The Committee has done a quality job in assembling a panoply of United Nations reform

proposals. Virtually all of the suggestions are compelling. The problem is the framework of their consideration. Unfortunately, in my judgment, the underlying Committee approach is thoroughly inappropriate. The Democratic substitute is better, but is inappropriate as well.

All of us have pique of one kind or another about the U.N. As a supporter of the principles that underlie the founding of the United Nations, I must confess to profound disappointment in the conflicts of interest that developed in the oil-for-food program.

Bizarrely, according to a federal indictment made public earlier this spring, a South Korean named Tongsun Park appears to be at the center point of one set of Iraqi oil transfers in which as a middleman he may have used part of his commissions to influence several U.N. officials. What is astonishingly “*déjà vu*” about these charges is that Tongsun Park had been indicted on bribery and conspiracy charges in the late 1970s for using his role as a rice agent for the U.S. Food for Peace program to bestow money and gifts on Members of Congress who had legislated the guidelines that allowed commissions on those agricultural sales.

The involvement of Tongsun Park in the Iraqi oil-for-food scandal may be a footnote to the abuses that developed but it symbolically underscores the urgent need for reform, accountability and transparency in U.N. endeavors.

Ironically, the oil-for-food program was authorized by the Security Council with U.S. support and every contract had to be approved by the government of the United States. It appears that proceeds from some of these contracts may have benefited influential individuals and institutions in various countries, including Russia and France, and thus had the effect of providing financial incentives for people in key foreign countries to oppose the policy perspectives of the United States. It also appears that conflicts of interest may have been precipitated with a small number of U.N. employees.

Perspective is difficult to bring to issues of the day, but with regard to the oil-for-food program, it is apparent that the international system is vulnerable to corruption. It may be that relative to the multi-billion-dollar size of the program, the conflicts in New York may to some seem paltry. But it should be clear that a few thousand here and a few thousand there add up to a loss of confidence in institutions of governance.

Bureaucratic waste and ineptitude are a challenge to any large organization, but of all institutions the U.N. should be the one most sensitive in the world to the problem of the “two c’s”: corruption and conflicts of interest.

The United Nations was created to promote the rule of law among and within nations. It was expected to be an honest and implacably neutral broker to help settle international disputes and advance international law in areas as diverse as arms control, trade, human rights, and the environment. In all these activities, political differences were to be expected, but integrity of purpose and deed was to be the U.N.’s hallmark. But tragically, no institution can fulfill its mission if its programs are subverted or its representatives conduct themselves in ways that are not respectful of the law. Corruption is the bitterest breach of trust, especially for the U.N., which in so many parts of the world represents the aspirations of people who live in desperate poverty and fear.

In this regard, in December 2004, Congress directed the United States Institute of Peace to establish a Task Force on the United Nations. The 12-member bipartisan Task Force, chaired by former House Speaker Newt Gingrich and former Senate Majority Leader George Mitchell, worked with leading public policy organizations to assess reforms that would enable the U.N. to better meet the goals of its 1945 charter and offer the U.S. government an actionable agenda to strengthen the U.N.

The report recommends establishing a chief operating officer to be in charge of daily U.N. operations; empowering the Secretary General to replace his or her top officials; and creating an Independent Oversight Board with adequate audit powers to prevent another scandal like oil-for-food. In addition, the report suggests abolishing the current U.N. Human Rights Commission and establishing a new Human Rights Council, ideally to be composed of democratic governments committed to monitoring, promoting, and enforcing human rights.

Over the years, there have been many reports advocating U.N. reform. By background, in the early 1990’s I co-Chaired the United States Commission on Improving the Effectiveness of the United Nations. The Commission held six hearings in regional centers across the country, receiving testimony from hundreds of witnesses representing a cross-section of philosophical perspectives.

The report the commission put forth underlined a certain degree of optimism that the U.N. could play a constructive role in world affairs, but explicitly recognized “serious management problems” and lack of adequate financial accountability in the U.N. system, and called for the U.N. to establish a fully independent Inspector General’s office.

With respect to political and security issues, the Commission, like the Gingrich-Mitchell Commission, recognized that means must be found to make the Security Council more representative of power balances in the world today; accordingly, it recommended the expansion of permanent membership of the Security Council. I introduced a bill to this effect yesterday, House Resolution 321, and am hopeful it will receive serious Committee and House review at a later date.

Also like the Gingrich-Mitchell Commission, the U.S. Commission on Improving the Effectiveness of the United Nations recommended the establishment of a U.N. rapid reaction force to prevent acts of genocide and crimes against humanity.

Arguably, these last recommendations—expansion of the Security Council and establishment of a U.N. rapid deployment force—are the two most important reform proposals the U.N. is considering today. The reform bill before us today is silent on each.

While both the Gingrich-Mitchell Commission and the earlier U.N. Commission highlighted severe management concerns, neither advocated linking progress on U.N. reform to U.S. payment of dues to the organization. Indeed, eight former U.S. ambassadors to the United Nations—Madeleine Albright, John Danforth, Richard Holbrooke, Jeane Kirkpatrick, Donald McHenry, Thomas Pickering, Bill Richardson and Andrew Young—urged Congress earlier this week to reject legislation that would withhold payments to the world body unless specific reform plans were enacted.

Here, we must understand precisely what the meaning of a 50 percent cut in U.S. contributions to the U.N., as envisioned in the bill before us, implies. As the country in the world that most stands for the rule of law, we are proposing to circumvent it. The Committee approach represents a Congressional directive that in all likelihood will require the U.S. to declare financial war on the United Nations. The alternative Democratic approach, while more restrained, has the effect of authorizing the Executive Branch to conduct a financial war on the U.N. should the Secretary of State choose to do so.

Both approaches contravene the U.N. Charter, a treaty binding all parties, including the United States. It specifies: "The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly" (Article 17(2)). In 1962, the International Court of Justice held—sustaining the position of the United States—that apportionment of expenses by the General Assembly creates the obligation of each Member to bear that part of the expenses apportioned to it.

Both efforts, the first boldly, the second with an extra Executive Branch hurdle, presumptuously imply that the United States is free of an international obligation to pay its assessments. This position runs counter to elemental principles of international law. The Vienna convention on the Law of Treaties provides that: "Every treaty in force is binding upon the parties to it and must be performed by them in good faith" (Article 26). It specifies that: "A state party to a treaty may not invoke the provisions of internal law as justification for its failure to perform the treaty" (Article 21(1)).

The only oath we as Members take is to the Constitution. Votes should reflect this obligation, not pique, not ideology, not well-intentioned concern for reform.

The bill before us undercuts the rule of law. It also misreads the Constitutional prerogative of Congress. It is true under Article I that we have been given purse string authority. It is not true that we have been provided the power to negotiate. That authority resides with the Executive Branch.

The legislation before us eviscerates the separation of powers that our founders so thoughtfully constructed. The Democratic alternative represents a credible political, but unconvincing legal balancing. The wiser way to go is to take the group of reform ideas assembled in the Committee bill, many of which, by the way have been derived from recommendations of various U.N. initiated panels, and simply direct the Executive to use its authority to seek to advance them in a way only it can.

There has been a suggestion made that only by threatening the withholding of resources can progress at the U.N. be made. This assertion at first blush sounds like common-sense realism. But counter-intuitively to utterers of this precept, historical experience reveals that prior U.S. withholding tactics have frequently embarrassed the U.S. and weakened rather than strengthened U.S. diplomatic positions. Nobody likes to be threatened, especially when threats represent breaches of the law of nations.

This bill, while frustratingly reflective of many legitimate sentiments, will almost certainly prove counterproductive. While it contains good ideas that many in the U.N. community support, the coercive methodology im-

plicit in the threat of withholding legally obligated resources will jeopardize rather than advance prospects for reform. It is no accident that the Bush Administration has voiced opposition to this bill and warned that unilaterally backing out of our financial obligations will undermine our credibility and effectiveness at the U.N.

We may be the greatest democracy in history but in a world where U.S. leadership has for so many lost its luster, good policy is far likelier to precipitate constructive results than big economic threats.

One obvious issue, especially for my Republican colleagues, is whether on matters of multilateral diplomacy deference to the judgment of House leadership is more compelling than deference to the President. But this quandary is secondary to the issue of the rule of law. The fundamental choice today is between deference to the law or to sovereign impunity.

Any sense of history would suggest that now is not the time to denigrate law. The passions of men, no matter how understandable, must be constrained by law, if there is any hope for a more peaceful and just world.

Accordingly, I intend to vote for the principal substitute to the Committee bill, but against either the Committee or the substitute on final passage. It is the rule of law and fidelity to the Constitution, not the politics of the moment that should guide our consideration of this bill.

Mr. LANTOS. Mr. Chairman, I am delighted to yield the balance of my time to the gentleman from Massachusetts (Mr. DELAHUNT), the ranking member of the Oversight and Investigation Subcommittee of the International Relations Committee.

Mr. DELAHUNT. Mr. Chairman, I think it is important that when we talk about reforming the United Nations that we have to be clear about what the United Nations is. It is not simply the Secretariat. The Secretariat is just the staff. They are the hired help. They run the day-to-day affairs of the United Nations; but it is the Member states that set policy, that make decisions that are responsible for oversight in implementation of the United Nations resolutions.

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In particular, it is the function of the Security Council to carry out those responsibilities. The United States is a permanent member of the Security Council, with the power to veto any resolution.

When the Security Council does not want the United Nations to work, it will not work. The Gingrich-Mitchell report put it this way, and I am quoting, "Too often the phrase 'the United Nations failed' should actually read 'members of the United Nations blocked or undermined action by the United Nations.'"

An excellent example of this concept is the sanctions against Iraq in the Oil-for-Food program. The United States advocated for the sanctions on Iraq in the aftermath of the Gulf War and then supported the Oil-for-Food program, advocated for it, but it was the Security Council, not some amorphous

United Nations somewhere up in New York, that had the responsibility to oversee the Oil-for-Food program and the sanction regime.

But when Jordan and Turkey notified the Security Council that they intended to purchase oil from Iraq, in direct violation of the sanctions regime, the Security Council simply took notice, whatever that means. I still cannot figure it out, but they did nothing else. It did not block Jordan and Turkey from this trade. It did not sanction those countries. It did not instruct the Secretariat to take any action. It did nothing.

As a result, Syria and Egypt then began to purchase oil from Iraq as well, and it is important to understand that this ended up as the largest illicit source of revenue for Saddam Hussein, and it had nothing to do with the Oil-for-Food program, nothing to do with it at all. The moneys derived from these so-called trade protocols far exceeded the money that Saddam Hussein skimmed from the Oil-for-Food program. This chart next to me shows that the so-called trade protocols generated over \$8 billion in revenue for Saddam Hussein.

My friend, the chairman of the Subcommittee on Oversight and Investigations talks about \$10 billion; 8 billion of that came from the Security Council's inaction while looking the other way.

Even some of the money that Saddam stole from the Oil-for-Food program could have been saved by aggressive oversight by the Security Council. It is important to note it was the Security Council that approved all prices on oil exports from Iraq, and every contract needed their approval for humanitarian goods coming into Iraq, and yet when the Secretariat brought 71 contracts to the attention of the Security Council because of concerns of pricing irregularities, the Security Council did nothing, did nothing, and Saddam profited and stayed in power as a result.

Why? Why did the Security Council not address any of these issues? Because the Security Council, including our own government, and there was two administrations involved, both the Clinton and the Bush administration, reached a political decision that it was not in their interests to fully enforce the sanctions. That has to be understood.

So when we talk about making the United Nations more effective, let us be clear that the changes that are being proposed, and that I embrace, do not fully address the problem. What is ultimately required is improving the way member states work together, and some level of transparency in the internal workings of the Security Council, not unilaterally withholding dues.

I am convinced that those eight Ambassadors who sent that letter to our congressional leadership are correct when they say withholding dues to the United Nations may sound like smart

policy, but would be counter-productive. It would create resentment, build animosity and actually strengthen the opponents of reform. It would place in jeopardy the reform initiatives that we embrace. Please understand that.

The CHAIRMAN. All time for general debate has expired on Part 1.

It is now in order to consider amendment No. 1 printed in Subpart A of Part 1 of House Report 109-132.

PART 1, SUBPART A AMENDMENT NO. 1 OFFERED  
BY MR. KING OF NEW YORK

Mr. KING of New York. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart A Amendment No. 1 offered by Mr. KING of New York:

In section 104, add at the end the following new subsection:

(f) WAIVER OF IMMUNITY.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure that the Secretary General exercises the right and duty of the Secretary General under section 20 of the Convention on the Privileges and Immunities of the United Nations to waive the immunity of any United Nations official in any case in which such immunity would impede the course of justice. In exercising such waiver, the Secretary General is urged to interpret the interests of the United Nations as favoring the investigation or prosecution of a United Nations official who is credibly under investigation for having committed a serious criminal offense or who is credibly charged with a serious criminal offense.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from New York (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. KING).

Mr. KING of New York. Mr. Chairman, I yield myself such time as may consume.

At the outset, Mr. Chairman, let me join with my other colleagues in commending the gentleman from Illinois (Chairman HYDE) for the outstanding leadership he has demonstrated on this bill. It caps a tremendous career in this body and is just one further shining example of how much we owe him and how we are indebted to him for his years of service to the United States Congress.

Mr. Chairman, my amendment should be noncontroversial. As both sides have acknowledged, there have been enormous scandals at the United Nations. Its reputation has suffered dramatically.

For those who do wish the United Nations to be reformed, and for the United Nations to reform itself, it is essential that it restore or regain some modicum of credibility from the American public and, indeed, from the world community. To do that, my amendment urges or directs the President of the United States to urge our permanent representative to the U.N. to call

upon the Secretary General to waive immunity in those instances where U.N. officials have committed serious offenses.

We have heard descriptions of various alleged misconduct by officials such as Benon Sevan, who is head of the Oil-for-Food program. Also, other individuals have been relieved of their duties at the U.N., such as the official charged with supervising contractor selection.

To me, it just makes elemental sense that the Secretary General under section 20 exercise his discretion to waive immunity in those cases so that criminal action, if necessary, can be brought, and it would be imperative upon our upcoming representative to the United Nations to call upon him to do that.

It is an amendment on which I urge its adoption. I believe it is essential, again, a significant step, and yet one which is a common-sense step to restoring the credibility that the U.N. deserves.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. KING of New York. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I want to commend my friend from New York for offering this amendment. Our side is prepared to accept the gentleman's amendment.

The diplomatic immunity that the United Nations is granted under international law is not designed to shield its employees from the due process of law when they commit crimes. Secretary General Kofi Annan has stated on numerous occasions that he would never allow the U.N.'s diplomatic immunity to protect any employee from prosecution for a crime she or he may have committed.

The Lantos-Shays substitute has a parallel amendment, and we are happy to accept the gentleman's amendment.

Mr. KING of New York. Mr. Chairman, reclaiming my time, as always, I appreciate the kind words of the gentleman from California who, again, I am proud to call my friend, and I certainly accept his support of the amendment.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. KING of New York. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, I thank the gentleman for yielding.

We, too, are very pleased to accept this excellent amendment and thank the gentleman from New York.

Mr. KING of New York. Mr. Chairman, I thank the chairman.

Mr. DELAHUNT. Mr. Chairman, will the gentleman yield?

Mr. KING of New York. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Chairman, I thank the gentleman for yielding to me.

I do obviously support the acceptance by our ranking member of the amendment.

I think it is important to note for the record that there are currently inves-

tigations that are ongoing, and for the information of my friend from New York, the Secretary General has been very explicit that he will fully cooperate. We have received information back that that cooperation is, in fact, occurring, and he has publicly stated, without equivocation, that there will be no immunity for members of the United Nations.

Mr. KING of New York. Mr. Chairman, reclaiming my time, I would agree with the gentleman.

In my remarks, I particularly did not direct my remarks to the Secretary General, and, in fact, the remarks are directed to our Ambassador to the United Nations, that in the future he continue that policy.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. KING).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. KING of New York. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. KING) will be postponed.

It is now in order to consider amendment No. 2 printed in Subpart A of Part 1 of House Report 109-132.

PART 1, SUBPART A AMENDMENT NO. 2 OFFERED  
BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart A Amendment No. 2 offered by Mr. GARRETT of New Jersey:

In section 504, add at the end the following new subsection:

(c) UNITED NATIONS CONSTRUCTION AND CONTRACTING.—Not later than six months after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report describing the costs associated with the contracting for and construction of the Geneva, Switzerland, buildings of the World Meteorological Organization (WMO) and the World Intellectual Property Organization (WIPO). The report shall include analyses of the procurement procedures for each such building and shall specifically address issues of any corrupt contracting practices that are discovered, such as rigged bids and kickbacks, as well as other improprieties. The report shall also include an identification of other credible allegations of corrupt contracting at United Nations construction projects that involve major construction on a scale comparable to the WMO and WIPO construction projects, and a description of the results of an investigation into each such credible allegation.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Before I begin, let me just use this opportunity to extend my appreciation to the chairman for his work in so many different areas important and vital to the people of this country, but right now, at the issue at hand before us, an area that is of utmost importance to the constituents in my district, as well as the citizens of this Nation and the world community as well. So I thank the chairman for his steadfast dedication to addressing these problems.

Also, let me take this opportunity to express my appreciation to the chairman's staff as well for their efficiency in bringing these matters to the floor and their cooperation in working with our offices in order to proceed along on these matters.

I rise today, Mr. Chairman, to offer an amendment regarding possible contract abuses by high-ranking U.N. officials and to hopefully make the U.N. a more accountable and transparent body.

This amendment will ask the Office of the Comptroller General to submit a report to Congress detailing the costs associated with the renovation of two U.N. buildings in Geneva, Switzerland. Let my give my colleagues a little background.

Michael Wilson, a friend of U.N. Secretary General Kofi Annan, who has referred to the Secretary General as his "uncle," is being investigated by a Swiss judge of possibly bribing a top U.N. official for a \$50 million renovating contract at the World Intellectual Property Organization.

It is alleged that Mr. Wilson paid \$270,000 to a top official at the intellectual property agency named Khamis Suedi. In return, the construction company Mr. Wilson represented was to be awarded the construction contract for this renovation work.

Here is the interesting connection. Mr. Wilson has also been a close business partner with the Secretary General's son Kojo Annan. In fact, Mr. Wilson helped get Kojo a job at Cotecna, a Swiss-based inspection firm. Not long after hiring him, Cotecna was awarded a lucrative contract to inspect goods going to Iraq with the newly implemented Oil-for-Food program that we have heard talked about on this floor earlier.

Kofi Annan has continuously denied ever meeting with or supporting the Cotecna contract proposal. In fact, the Volcker Commission, appointed by Kofi Annan to investigate the Oil-for-Food scandal, in their second interim report that came out this spring came out and stated, "There is no evidence that the selection of Cotecna in 1998 was subject to any affirmative or improper influence of the Secretary General in the bidding or selection process."

□ 1830

However, just this week, a memo obtained from Mr. WILSON around the time that the Oil-for-Food inspection contract was being decided, stated: "We had brief discussions with the Secretary-General. We could count on their support."

Now, the Volcker Commission only now is hastily reevaluating its initial findings in light of this new evidence; and Kofi Annan, as suspected, is dodging questions and hiding now behind the commission. I believe that the Volcker Commission has proven to be too cozy to the Secretary-General to adequately assess the true depth of corruption. In order to provide a full accounting of any illicit dealings to the American taxpayer, the United States must continue its aggressive investigation, and my amendment will further that goal.

Even real estate magnet Donald Trump states, in speaking about the proposal in New York City about their planned expansion of their headquarters, "The United Nations is a mess and they are spending hundreds of millions of dollars unnecessarily on this project." If Donald Trump says they are wasting millions of dollars, I can only imagine what the average American taxpayer's view must be on the U.N.

Investigations of the U.N. financial dealings under Kofi Annan resemble the peeling back of an onion. The more that is cut away, the greater the stench. This amendment is a bold step, I believe, in slicing away one more slice of the onion, another layer, to reveal the full account of any illicit dealings at the U.N.

Mr. Chairman, I reserve the balance of my time.

Mr. LANTOS. Mr. Chairman, I claim time in opposition to the amendment, although I am not in opposition.

Mr. Chairman, I yield 1½ minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

The CHAIRMAN. Without objection, the gentleman from California will control the time in opposition.

There was no objection.

Mr. DELAHUNT. Mr. Chairman, I thank my friend for yielding me this time.

I also read the same report that the gentleman from New Jersey referred to, but I would like to provide him an update at this point because I am sure he received his information from a newspaper report, if I am correct.

Mr. GARRETT of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. DELAHUNT. I yield to the gentleman from New Jersey.

Mr. GARRETT of New Jersey. I received it from different locations, actually. It began, if I may, it began with newspaper reports.

Mr. DELAHUNT. Mr. Chairman, reclaiming my time, again, let me provide this as an update, because this is a report by the Associated Press from today, titled "U.N. Oil-for-Food author

of e-mail memo says he never discussed Oil-for-Food contract bid with Kofi Annan. The executive who wrote an e-mail suggesting that the U.N. Secretary General Kofi Annan may have known about a U.N. contract awarded to his son's company has denied ever discussing the firm's bid with Annan, a law firm said Wednesday."

So, again, I think it is worthy of a review, clearly worthy of an investigation; but I do find it interesting that when we talk about investigations that we have not taken the opportunity to investigate the report by the Special Inspector General for Iraq Reconstruction of the report by an American official indicating that the Coalition Provisional Authority provided less than adequate controls for approximately \$9 billion of development funds for Iraq funds provided to Iraq through the national budget process. We cannot find that money.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume. Our side is prepared to accept the gentleman's amendment. We have heard very disturbing reports about possible contracting scandals involving kickbacks at the World Meteorological Organization and the World Intellectual Property Organization in recent years. It will be extremely helpful to have our General Accounting Office also undertake a thorough review of these matters.

We are looking forward to working with the gentleman from Illinois (Mr. HYDE) and others to make certain that all U.N.-affiliated organizations achieve the appropriate reforms, and I thank the gentleman for offering this important amendment which will support our efforts.

Mr. Chairman, I yield back the balance of my time.

Mr. GARRETT of New Jersey. Mr. Chairman, I yield myself such time as I may consume, and I just want to say that I appreciate both gentlemen's comments and the information that they conveyed.

Mr. Chairman, I yield 30 seconds, the balance of my time, to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for yielding me this time. On behalf of the majority we are also very happy to accept this amendment.

This amendment seeks to identify overspending due to possibly rigged contracts at U.N. buildings around the world. The U.S. generally pays 22 percent of those costs. The savings could be in the millions of dollars for U.S. taxpayers if other instances of building improprieties were found and, by connection, action taken to correct those improprieties.

Mr. Chairman, I want to congratulate the gentleman on his amendment, and we are accepting it again as well.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in Subpart A of Part 1 of House Report 109-132.

PART 1, SUBPART A AMENDMENT NO. 3 OFFERED  
BY MR. CANNON

Mr. CANNON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart A amendment No. 3 offered by Mr. CANNON:

In section 108(b)(4) (relating to the report on United Nations reform), strike "and" after the semicolon.

In section 108(b)(5), strike the period at the end and insert "; and".

In section 108(b), add at the end the following new paragraph:

(6) whether the United Nations or any of its specialized agencies has contracted with any party included on the Lists of Parties Excluded from Federal Procurement and Nonprocurement Programs.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Utah (Mr. CANNON) and a Member opposed each will control 5 minutes.

The gentleman from Utah (Mr. CANNON) is recognized for 5 minutes.

Mr. CANNON. Mr. Chairman, I yield myself such time as I may consume.

For their work on this bill, I would first of all like to thank the gentleman from Illinois (Mr. HYDE), the chairman, and the gentleman from California (Mr. LANTOS), two giants of this institution and people who I am pleased to call friends.

Mr. Chairman, our government is being forced to give financial support to corporations we normally would exclude because of our membership in the United Nations and where our dues are spent. When a Federal agency takes an action to exclude a contractor under the nonprocurement or procurement debarment and suspension system, the agency enters the information about the excluded party into the Excluded Parties List System, the EPLS, which is maintained by the General Services Administration.

This means that we have a list of individuals and companies with whom our government is forbidden to do business or provide grants or similar assistance. The EPLS identifies those who are deemed corrupt or untrustworthy or even those involved in terrorist activities, like the Islamic jihad and Hezbollah. These contractors are excluded from entering contracts and agencies may not solicit offers from, award contracts to, or consent to subcontracts with these contractors.

Contractors are excluded from conducting business with the government as agents or representatives of other contractors. What is more, every U.S. citizen can view the EPLS on line. We know who we do not support and why we do not support them and what their punishment is.

However, though our government has a list of parties we refuse to deal with,

our dollars might be supporting them through the U.N. I am offering an amendment that will add a paragraph to section 108 of H.R. 2745, the Henry J. Hyde United Nations Reform Act of 2005. This section requires a report to be filed with the Congress of the United States on the status of the U.N.'s reform. My amendment requires a report on the contracts entered into by the U.N. or any of its specialized agencies with parties on the U.S. Government's EPLS.

This amendment is endorsed by the Heritage Foundation, as well as Americans For Tax Reform. U.N. officials have time and again demonstrated poor judgment and an inability to appropriately manage the money provided by many countries, including the United States. It is absolutely clear, Mr. Chairman, that something has to be done about the U.N.

The release this week of the Oil-for-Food contractor Cotecna, calling into question Kofi Annan's claim that he was unaware of Cotecna's bid for a contract in 1998, is just the latest in a long stream of ethical blunders.

As a bipartisan report, featured in yesterday's Wall Street Journal stated, "Until and unless it changes dramatically, the United Nations will remain an uncertain instrument, both for the governments that comprise it and for those that look to it for salvation."

It is only logical that the same restrictions we place upon our Federal agencies be applied to the money we give to the U.N. This extra measure of oversight will help prevent future corruption by the U.N. and create clear guidelines regarding who the U.N. contracts with.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I want to thank my friend for yielding, and I want to commend him for bringing before this body an important amendment. We strongly support his amendment, and I am very pleased to accept it.

Mr. CANNON. Reclaiming my time, Mr. Chairman, I thank the gentleman for his comments.

Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, on behalf of the majority, I want to thank the gentleman from Utah (Mr. CANNON) for offering this very, very important amendment. It will ensure that the U.N. is not using its funds to inadvertently fund terrorism or fraudulent companies. It is a very good amendment, and we accept it and support it.

Mr. CANNON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. CANNON).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 4, printed in

Subpart A of Part 1 of House Report 109-132.

PART 1, SUBPART A AMENDMENT NO. 4 OFFERED  
BY MR. MCCOTTER

Mr. MCCOTTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart A amendment No. 4 offered by Mr. MCCOTTER:

In section 104(c)(1), add at the end the following new sentence: "The UNOE shall promulgate ethics rules, including the following:"

In section 104(c)(1), add at the end the following new subparagraphs:

(A) No employee of any United Nations entity, bureau, division, department, or specialized agency may be compensated while participating in the domestic politics of the country of such employee, except for voting or acting as part of a Security Council, General Assembly, or legitimately authorized United Nations mission or assignment.

(B) No United Nations entity, bureau, division, department, or specialized agency may hire an individual convicted in a generally recognized court of a democratically-elected government with an independent judiciary and an extradition treaty with the United States and the European Union for any crime or crimes involving financial misfeasance, malfeasance, fraud, or perjury.

(C) The employment of an employee of any United Nations entity, bureau, division, department, or specialized agency who is convicted in a generally recognized court of a democratically-elected government with an independent judiciary and an extradition treaty with the United States and the European Union of any crime or crimes involving financial misfeasance, malfeasance, fraud, or perjury shall be subject to termination.

(D) If an employee of any United Nations entity, bureau, division, department, or specialized agency has contact regarding the disposition of ongoing internal United Nations operations or decisions with an individual who is not an employee or official of the government of a Member State (or a similarly situated individual), with an individual who is not officially employed by any United Nations entity, bureau, division, department, or specialized agency, or with an individual who is not a working member of the media, a memorandum of such contact shall be prepared by such employee and, upon request, be made available to Member States.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Michigan (Mr. MCCOTTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment is relatively self-explanatory. It is an effort to add some commonsense reforms to the United Nations in the area of employment, in the area of what their employees may or may not do with the entity's monies while they are politicking in their own domestic elections and an attempt to make sure there is a record should they have outside unauthorized contact with individuals who are not members of government or the media.

I would like to say that the rationale for bringing this forward is to provide a practical benefit to the reform effort at the United Nations; but I think it also is important that we recognize, as Martin Luther King, Jr., once said, "There can be no great sorrow where there is no great love."

We are engaged today to try to redeem the dream of Franklin Roosevelt that the United Nations in the age of the nuclear bomb; that in the age of a global war on terror, at some point we could have something at night to get us to sleep, and that is the belief that the United Nations would be a force for good in the world; that international disputes could be resolved there; that the finest and most noble motives of humanity could find expression and implementation.

Mr. Chairman, as the gentleman from California (Mr. LANTOS) has said in a wonderfully elegant phrase, "Unfortunately the United Nations at present is a derivative reality." So I am trying to inject some practicality into that derivative reality.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. MCCOTTER. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I thank the gentleman for yielding to me, and we are prepared to accept the gentleman's amendment. I want to commend him on bringing this matter before the body.

Mr. MCCOTTER. Mr. Chairman, I yield myself such time as I may consume and would like to thank the distinguished minority ranking member, the chairman of our committee, and everyone who is engaged in this debate. It has been an honor to work on this issue with them. It has been an honor to learn from them. And more importantly, it has been an honor to see the example they set and to set a bar for others in this institution to emulate their integrity.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. MCCOTTER).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in Subpart A of Part 1 of House Report 109-132.

PART 1, SUBPART A AMENDMENT NO. 5 OFFERED  
BY MR. POE

Mr. POE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart A amendment No. 5 offered by Mr. POE:

In title I, add at the end the following new section:

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

Not later than 12 months after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committee on International

Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report on United States contributions to the United Nations. Such report shall examine assessed, voluntary, in-kind, and all other United States contributions.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Texas (Mr. POE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. POE).

Mr. POE. Mr. Chairman, I yield myself such time as I may consume.

As a former judge, I believe in consequences for bad conduct; and of course when improper behavior takes place, I do not believe in saying to the perpetrator, no matter who it is, try to do a little better. The United Nations has a history of abuse, misconduct, criminal negligence, money laundering, some corruption, and sexual violence against the very people the United Nations swears to protect. Mr. Chairman, there should be consequences, and my question is who is holding the United Nations accountable for that conduct.

Thanks to the leadership of the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS), and others in Congress, the United States has begun the tough task of investigating the scandals which the United Nations is ridden with. But in my opinion, the United States will never be able to hold the United Nations accountable if we do not know where our aid, our money is going once we hand it over to the United Nations.

My amendment simply would require the OMB to give a yearly report to Congress on all the contributions, whether they be assessed, voluntary, or in-kind, that the United States gives to the United Nations. The American taxpayers have the right to know how the United Nations is spending American money. So by keeping track of our contributions, the United States will be more capable of holding the United Nations accountable for the way it spends members' monies and makes use of members' contributions.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. POE. I yield to the gentleman from California.

□ 1845

Mr. LANTOS. Mr. Chairman, I commend the gentleman from Texas (Mr. POE) for presenting this amendment. We have no objections. We are prepared to accept it.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. POE. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for offering this amendment. One of the difficulties we had when involved with the arrearage issue some years ago was the fact that for many Americans, it was a

shock to learn how much of the voluntary and in-kind contributions the United States did make, which were justified, but for which we got no credit.

I think by getting all of the information on assessed, voluntary and in-kind contributions, I think Americans will be amazed, as will international friends around the world in like manner will be amazed, how much the U.S. Government does provide.

So often in-kind contributions like airlift for military operations in no way gets on the ledger, so we do not have a thorough and a full accounting of the U.S. contribution and how the money is spent. I commend the gentleman for his amendment.

Mr. POE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. POE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. POE) will be postponed.

It is now in order to consider amendment No. 6 printed in Part 1, Subpart A of House Report 109-132.

It is now in order to debate the subject of United Nations peacekeeping operations.

The gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I reserve the balance of my time.

Mr. LANTOS. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Chairman, I thank the ranking member for yielding me this time.

Because he is not on the floor at this point, I am not going to take this opportunity, I will have many more, to express in some detail my affection, my respect and my admiration for the chairman of our committee who sponsors this bill and who has announced his intent not to seek reelection to the next Congress. But once in a while in the course of both of our tenures here, I have had occasion to oppose an initiative, and in this case I do so very strongly.

On the surface this may look like a partisan conflict, but in reality it is not. The Ambassador under Ronald Reagan to the United Nations says about the bill before us, Reforming the United Nations is the right goal. Withholding our dues to the U.N. is the wrong methodology. When we last built debt to the U.N., the U.S. isolated ourselves from our allies within the U.N. and made diplomacy an impossible

task. Modernizing the United Nations to be more capable and effective must be done through engaging our allies and being a leader for creating a U.N. for a new century. That is Ambassador Jeane Kirkpatrick, no member of the United World Federalists is she.

A recent commission co-chaired by our former speaker Newt Gingrich, not a man enamored of ideological multilateralism, prepared a report on much-needed U.N. reforms and never suggests a mandatory dues cut as a way to effectively achieve those results.

The President of the United States and this administration, which I believe is a Republican administration, indicates very strongly the error of this approach and asks this body to reconsider moving ahead with this particular bill.

But the area that I want to most focus on does not deal with the dues cut, but has a provision on peacekeeping that is particularly egregious. Based on the failure to implement five reforms by the effective date of this bill, the day after this bill is signed into law, and those reforms are much needed, I think they are on the way to happening, I do not quarrel with any of them, in fact, I think they are compelling in their nature, this bill mandates the President of the United States to instruct our Ambassador to the United Nations to veto any new or the expansion of any existing peacekeeping operation.

In other words, the Congress steps in, usurps the executive branch function of formulating foreign policy in exercising its discretion on what its appointee will do in the end without regard to U.S. national interests and in direct violation of executive branch prerogatives.

For the chairman of this committee to sponsor a bill that does something like that is, I would suggest, quite out of character because there is no one in this House who has made a stronger point in his career of trying to ensure that the President's power as Commander in Chief and implementer of foreign policy is maintained.

The national interest issue compels us to say this is not the right approach. What if a new U.N. peacekeeping operation, the problems with China or Russia in the context of Darfur are overcome, and there is a consensus for a new augmented operation there involving African countries, involving European countries, perhaps with no commitment whatsoever from the United States for such an operation? Because of the failure to fully implement all five of these reforms, our Ambassador, notwithstanding the humanitarian tragedy, notwithstanding how the United States will look to the rest of the world, our Ambassador is required to veto such a peacekeeping operation?

What if a situation like East Timor comes up again, and whatever the problems have been, and whatever the failures to fully implement these reforms,

there is a compelling national interest reason for us to support a peacekeeping operation once again that may not involve U.S. troops or forces? Why would we want to mandate something that is fraught with constitutional problems and does a disservice to our national interest in such legislation? This is a foolish and improper amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent to yield the balance of my time to the gentleman from Indiana (Mr. PENCE) and that he may control the time.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PENCE. Mr. Chairman, I yield myself such time as I may consume.

I rise for a few brief moments to speak on behalf of title VI of this bill which calls for far-reaching reforms in the areas of planning, management, conduct and accountability of peacekeeping operations within the United Nations. It does, as the gentleman from California said quite accurately, it does involve some tough love and the potential for withholding support for the creation of new or expanded peacekeeping missions if the U.N. does not implement the most basic yet critically important reforms that are called for.

As I have said before, the power of the purse is the power of the American people. While title IV of the peacekeeping reforms of this bill do not cut peacekeeping funds, they do withhold the expansion of any U.S. involvement in peacekeeping operations if these reforms are not enacted.

The need for the reforms are obvious. The Congo in this last calendar year, U.N. peacekeepers and civilian personnel stand accused of widespread sexual exploitation of refugees in the Democratic Republic of Congo.

In Eritrea in 2005, U.N. peacekeeping staff ran up more than \$500,000 of unpaid international calls.

In Burundi in 2004, two U.N. peacekeepers were suspended following allegations of sexual misconduct.

In Sierra Leone in 2003, U.N. peacekeepers were accused by Human Rights Watch of systematic rape of women, and the list goes on and on and on.

The need for reform is real. I am pleased to say there is broad agreement about the need for reform. In fact, the United Nations Special Committee on Peacekeeping Operations has endorsed specifically all seven of the reforms that are included in this legislation. In fact, those reforms have been endorsed by Prince Zeid of Jordan, the Secretary General's special advisor on sexual exploitation and abuse, and all but one, the signature of an oath, have already been adopted by the U.N. special committee.

According to officials at the U.N., most of these reforms are expected to be in place by the end of July 2005. Five of the peacekeeping reforms under this title are linked to immediate with-

holding of support for new and expanded missions. They are: the adoption of a uniform code of conduct; the training of peacekeeping personnel on that code of conduct; the signature of an oath to abide by the code of conduct; design of programs to explain prohibited acts to host populations so there would be greater accountability for the behavior of peacekeepers; and the creation of a centralized database to track these areas of misconduct.

Once again I say that officials at the U.N. believe that most of these reforms will be in place in a matter of weeks, so it is difficult to understand how requiring these reforms before any additional U.S. missions are approved under peacekeeping operations is a little hard to understand.

Two additional reforms are equally critical, but may require more time to implement: the adoption of a model memorandum of understanding; and the establishment of an independent investigative audit that functions for peacekeeping missions.

These are all part and parcel of restoring the credibility of the good work that U.N. peacekeepers have done throughout the past 60 years, and it is central to the principle of the Henry J. Hyde U.N. Reform Act that we stand, even with tough love, for the idea that we use the power of the purse, which is the power of the American people, in this case the threat of withholding additional missions to the United Nations under peacekeeping operations to demand that these necessary reforms are implemented.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. PENCE. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I have the greatest respect for the gentleman from Indiana (Mr. PENCE). The problem with this provision, as with much of the bill, is the lack of judgment that our Secretary of State could bring to bear as a new, tragic Darfur-like situation erupts someplace.

We do not question the need for improving the peacekeeping process, we are with you totally on that, but we would like to have our Secretary of State have the opportunity of exercising her judgment in a rapidly changing and evolving situation.

The CHAIRMAN. All time for general debate on Part 1, Subpart B has expired.

It is now in order to consider amendment No. 1 printed in Subpart B of Part 1 printed in House Report 109-132.

□ 1900

PART 1, SUBPART B AMENDMENT NO. 1 OFFERED BY MR. BOOZMAN

Mr. BOOZMAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart B amendment No. 1 offered by Mr. BOOZMAN:

In section 402(1) (relating to reform of United Nations peacekeeping operations), add at the end the following new subparagraph:

(E) GRATIS MILITARY PERSONNEL.—The General Assembly should lift restrictions on the utilization at the headquarters in New York, the United States, of the Department of Peacekeeping Operations of gratis military personnel by the Department so that the Department may accept secondments from Member States of military personnel with expertise in mission planning, logistics, and other operational specialties.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Arkansas (Mr. BOOZMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer an amendment that would give the United Nations greater flexibility in the peacekeeping operations that they are involved in by allowing voluntary military personnel to serve at the Department of Peacekeeping Operations in New York. This was the norm until early 1999. Over time, 130 experienced officers had been loaned. They had expertise in mission planning, logistics, all of the things that are so important in these types of missions. There was a lull and because of the complaint of some of the other nations that 85 percent of this group came from developed countries, it was discontinued.

As a member of the Committee on International Relations, I frequently hear of the problems that we have with peacekeeping, the atrocities in various parts of the world. Again, I think that this is a situation that would greatly remedy that.

Rotating these professionals into the U.N. on a periodic basis provides a means for introducing new ideas, techniques, and experience without having to deal with terminating contracts or moving people and positions. It allows the system to deal with unexpected demands. The U.N.'s new operational responsibilities demand a more flexible approach.

I think the other thing is that this would not cost anything. This would be a mechanism where, in fact, I think we could save a great deal of money by being much more efficient. We are asking the United Nations to be more effective with their planning and their operations. The other thing that is important is that in no way does this require our Department of Defense to assign any U.S. military personnel. It only leaves the door open.

I want to thank my chairman and thank the ranking member for their work on this and, again, our staffs.

Mr. Chairman, I reserve the balance of my time.

Mr. LANTOS. Mr. Chairman, I ask unanimous consent, although we do not oppose this amendment, that we have 5 minutes to explain our position.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Chairman, I thank the gentleman for yielding me this time. I just want to respond to what I think was an inadvertent misstatement by the gentleman from Indiana on what I think is an over-the-top provision of this bill, requiring a veto of any new or expanded peacekeeping operations in the Security Council. He referred to it as an ability for the U.S. to withhold its forces for it. But read the provision you have written: the President shall direct the United States permanent representative to the U.N. to use the voice, the vote and the influence of the U.S. at the U.N. to oppose the creation of a new or expansion of existing peacekeeping operations.

"Vote" means "veto" at the Security Council. You veto the peacekeeping operation, it does not happen. The genocide in Darfur continues, no matter what the political will is of the body, because we have only trained 60,000 of the 68,000 peacekeepers by the day this bill passes. This has nothing to do with the debate about withholding dues as leverage. This has to do with define our own national interests in the name of I do not know what. It makes no sense, it is unconstitutional, and it should have been stricken from this bill.

Mr. LANTOS. Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts (Mr. DELAHUNT).

The CHAIRMAN. The gentleman from Massachusetts is recognized for 4 minutes.

Mr. DELAHUNT. I thank the gentleman for yielding me this time.

Mr. Chairman, I would like to speak to reality, too, as the gentleman from California just did. I think it is important we not deceive ourselves. While the United Nations clearly needs our leadership, we also need the United Nations, particularly in the area of peacekeeping. There are some 16 peacekeeping missions deployed around the world today. They number at least 70,000 troops. Ten of them, 10, are American. These so-called "blue helmets" have saved the lives of hundreds of thousands of innocent people and some of them have been killed while doing so.

Are there problems? Clearly there are problems. Is progress being made? Yes, progress is being made. The gentleman from New Jersey (Mr. SMITH) and myself recently met with Prince Zeid. There is progress being made, but this amendment does not help the cause.

Just imagine, if you will, the cost to the United States in terms of dollars and blood if Americans were required to fill those roles. This bill could very well force the U.S. military, which is as we know already stretched dangerously thin, to deploy to more and more inhospitable venues. One example that we are all familiar with, Haiti.

There are 6,700 United Nations troops in Haiti today along with 1,400 U.N. police working to keep order, and more are scheduled. Without that United Nations presence, the United States would be left with the responsibility of restoring order, providing security, and rebuilding a functioning government. This is nation-building for real that hopefully will transpire in Haiti. Otherwise, we will be looking at a failed state close to our southern borders with all the consequences that that will implicate.

It is the United Nations that is keeping Haiti from total collapse into anarchy. I have no doubt that the expenses associated with that scenario, if there is a total collapse, will vastly exceed our annual commitment to the United Nations, both voluntary and assessed, for years to come. Not only would we have to commit U.S. troops to restore order; we might have to deal with a humanitarian crisis that could very well compel us to use Guantanamo for something significantly different from its current use, much like we did in the early 1990s when it was a refugee center for Haitians who were fleeing from their country in makeshift crafts and dying by the thousands. As the world's richest nation and the sole superpower, this unpleasant task would fall to us alone.

Do we really want to assume that burden? That is just one example. Multiply the potential by 16, by a factor of 16, if this particular provision should eventually become law. We put ourselves, our troops, our taxpayers at great risk.

Mr. BOOZMAN. Mr. Chairman, I yield myself such time as I may consume.

Not too long ago, my wife came to me. She had, the night before, seen a program on television. She said, John, is it true that the U.N. peacekeepers are trading sex for peanut butter with 9- and 10-year-old kids? She could not believe it. I looked at her, and I said, Cathy, it's true. That is happening.

I talked to Chairman SMITH and he subsequently held hearings. They came over and assured us that things were getting better. We were told that basically the implication was on the battlefield, these things happen, sexual abuse occurs. My response was, This isn't sexual abuse. That taking pictures of 9- and 10-year-old kids, exploiting them, was child abuse and a criminal matter.

We heard that there would be zero tolerance. A week later, another television program and the guy said, We have heard there is going to be zero tolerance. He said, What does that mean? He showed pictures of these guys sneaking out at night to a village, again to do their work and showed a picture of a guy riding around in a U.N. vehicle with a prostitute.

I think we have worked, we have held our hearings, we have coerced. I think the time now is to demand accountability. Again, I would ask all of my colleagues to vote for this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas (Mr. BOOZMAN).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in Subpart B of Part 1 of House Report 109-132.

PART 1, SUBPART B AMENDMENT NO. 2 OFFERED  
BY MR. KLINE

Mr. KLINE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart B amendment No. 2 offered by Mr. KLINE:

In title IV (relating to United Nations peacekeeping operations), add at the end the following new section (and conform the table of contents accordingly):

**SEC. 404. RULE OF CONSTRUCTION RELATING TO PROTECTION OF UNITED STATES OFFICIALS AND MEMBERS OF THE ARMED FORCES.**

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

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Minnesota (Mr. KLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. KLINE).

Mr. KLINE. Mr. Chairman, I am very pleased to yield 30 seconds to the gentleman from Texas (Mr. DELAY), the distinguished majority leader.

Mr. DELAY. Mr. Chairman, I thank the gentleman for yielding me this time. I rise in strong support of the Kline amendment and thank the gentleman from Minnesota for offering it today.

No one in this body knows better than the gentleman from Minnesota the paramount and absolute need to protect, with every tool at our disposal, our men and women in uniform. The gentleman from Minnesota's amendment today does just that by expressly stating in this long overdue United Nations reform package that all of the reforms we will pass augment, and in no way change, the Federal law that exempts our troops from prosecution in the International Criminal Court.

The ICC is a threat not only to the sovereignty of the United States and to the constitutional rights of American citizens; it is an overreaching distortion of the United Nations charter and its mission. The ICC would, in effect,

disregard not only Federal and State law but also the Uniform Code of Military Conduct, thereby establishing a rogue court in which foreign judges can indict, try, and convict American troops for broadly defined and openly interpreted crimes, all without any of the fundamental legal rights guaranteed by the United States Constitution.

The ICC, then, represents a clear and present danger to the ultimate success of the civilized world's war on terror and an affront to both our troops and the Nation they serve. When we ask American men and women to risk their lives around the world to defend our freedom, the least we can do is promise them they will not be hauled before an unaccountable, politically motivated court just for doing their job.

The United States is not a party to the ICC and has even taken the unprecedented step of "unsigned" the treaty to clarify that point. We do not cooperate in any of its proceedings or pretenses, and we do not recognize its authority over any action undertaken by a single citizen of this Nation. The ICC is a product of the worst excesses of the undemocratic mindset that has so permeated the United Nations and distorted its true purpose.

The United Nations' mission is to protect and promote human rights around the globe, to exhort with clarity and courage the principles of justice and liberty to those who would seek to oppress them. The ICC, on the contrary, could be an instrument of undemocratic score-settling, a shadowy kangaroo court in which despots and their diplomats can humiliate and even imprison the men and women who have the courage to do the work the U.N. refuses to do.

I urge our colleagues to vote for the Kline amendment and reiterate America's commitment to our troops, our national sovereignty, and the hard work of human freedom.

Mr. LANTOS. Mr. Chairman, I ask unanimous consent that we be given 5 minutes to explain our position.

The CHAIRMAN. Is the gentleman from California in opposition to the amendment?

Mr. LANTOS. I am not opposed to the amendment.

The CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

□ 1915

Mr. LANTOS. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Chairman, I would like to use this time, if I might, to ask the gentleman from Minnesota a question.

His amendment says that nothing in this title, this title that the gentleman from Illinois (Chairman HYDE) has brought to us, should be construed to supersede the Uniform Code of Military Justice or surrender U.S. officials to a

foreign country or international tribunal.

Could the gentleman tell the body what section of the gentleman from Illinois' (Chairman HYDE) bill could be construed to require the surrender of officials, what section of the gentleman from Illinois' (Chairman HYDE) bill could be construed as requiring superseding the Uniform Code of Military Justice? I am certainly unaware of any such section, and I am certainly unaware of any desire by the gentleman from Illinois (Chairman HYDE) to present to the body such a section.

Mr. KLINE. Mr. Chairman, will the gentleman yield?

Mr. BERMAN. I yield to the gentleman from Minnesota.

Mr. KLINE. Mr. Chairman, I thank the gentleman for yielding to me.

This is extremely well-crafted legislation that the chairman has brought forward in close cooperation with many of his colleagues on the Committee on International Relations, and I am in very strong support of this bill. There is language in section 4 which calls for a uniform code of conduct, which I think is a very excellent idea.

We want to be very certain that as this legislation goes forward, it in no way can be misinterpreted to impinge upon the Uniform Code of Military Justice or the American Servicemembers' Protection Act. We are trying to avoid any confusion here and make sure that our men and women who are going to work in United Nations peacekeeping operations and go around the world are in no way compromised.

Mr. DELAHUNT. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Chairman, I do not know if the proponent of the amendment is aware of the fact that U.S. personnel are already prohibited from being under the command of another nation, and therefore would always be subject to the UCMJ.

Mr. KLINE. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I yield to the gentleman from Minnesota.

Mr. KLINE. Mr. Chairman, we are trying to make sure that there is no possibility for misinterpretation as we bring forward this very important new legislation, and that it can in no way subject the American Armed Forces or any other American personnel, for that matter, to foreign tribunals or the International Criminal Court.

Mr. BERMAN. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I yield to the gentleman from California.

Mr. BERMAN. Mr. Chairman, would it be fair to say that, in effect, his effort is an effort to gild the lily?

Mr. KLINE. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I yield for the final time, but before I do so, Mr. Chairman, let me say that we accept the gentleman's amendment.

I yield to the gentleman from Minnesota for the final time.

Mr. KLINE. Mr. Chairman, I thank the gentleman for yielding to me.

I just want to be very brief.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I just want to say to my colleagues this is a very serious debate, and when one starts using terminology like is he trying to gild the lily, he is trying to protect American servicemen from any kind of legal action that might be taken against them. So let us be serious about it.

Mr. KLINE. Mr. Chairman, I yield myself such time as I may consume, and I thank the gentleman from Indiana for his comments.

I want to be very clear that I am in strong support of this legislation that has come forward by the Committee on International Relations, but there are things that raise my interest and my concern.

A few weeks ago media outlets throughout the world proudly parroted Amnesty International's unfounded charges of torture and ill treatment in the so-called America "gulags." Instead of condemning the government-inflicted famine in Kim Jong-Il's North Korea or continued human rights abuses in Castro's Cuba, the executive director of Amnesty International USA revealed the true goal of organizations such as his when he called on foreign governments to arrest and prosecute U.S. Government officials and military personnel. We want to make sure that we have got language in here that would prevent that.

The Belgian experience, for example, and recent propaganda espoused by Amnesty International shows that we were wise to doubt the merchants who were peddling "universal jurisdiction" at the cost of national sovereignty. Indeed, even President Clinton did not send the Rome Statute establishing the International Criminal Court to the U.S. Senate because of its fundamental flaws.

The United States is a Nation dedicated to justice and the rule of law, and we cannot allow these fundamental protections to be stripped from our servicemen and women performing peacekeeping missions, and I think we in this body need to be ever vigilant to ensure that that does not happen.

Mr. LANTOS. Mr. Chairman, if the gentleman will yield, we are pleased to accept the gentleman's amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. KLINE. Mr. Chairman, I yield the balance of my time to the gentleman from Missouri (Mr. BLUNT), the distinguished majority whip.

Mr. BLUNT. Mr. Chairman, I thank the gentleman for yielding me this time.

I thank our friends for accepting this important amendment that the gen-

tleman from Minnesota (Mr. KLINE) has brought forward to the bill. Certainly today United States troops are deployed around the world as they defend our freedoms and as they assist others in defending their freedom.

In Iraq and Afghanistan they are working tirelessly to create a secure environment for fledgling democracies. On the Korean Peninsula, they face a brutal dictator. In Kosovo they observe an uneasy peace among old adversaries, and in Japan and Europe they stand to react to any national crisis. In addition, our naval personnel operate in dozens of bases worldwide to protect global trade routes, prevent nuclear proliferation, and many other important tasks.

And even as they perform these actions in defense of liberty in other nations, our troops serve the United States of America, not the United Nations or any other foreign power. Their mission may send them abroad, but we must never allow a foreign court to interfere in U.S. military affairs.

Examples already exist of the dangers of the International Criminal Court. During the most notable example recently, European opponents of the Iraq War suggest that senior U.S. officials including the Secretary of Defense and top military commanders should be tried by that Court.

The United States of America has a long history of fair and firm military justice. The Uniform Code of Military Justice is understood and respected by our military personnel that serves our Armed Forces well. Under no circumstances should our men and women in uniform fear retribution in the form of prosecution by a foreign court of justice.

I think the gentleman from Minnesota (Mr. KLINE) understands this as well as any Member of this body. I appreciate his bringing this amendment to the floor, and I am pleased to see it included in a bill that I hope is heartily responded to by support today.

Mr. KLINE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. KLINE).

The amendment was agreed to.

The CHAIRMAN. It is now in order to debate the subject of the International Atomic Energy Agency.

The gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I yield myself such time as I may consume.

I rise in strong support of the Henry J. Hyde United Nations Reform Act and would like to provide some insight on the background and the impetus for Title III of the bill that relates, as the Chair pointed out, to the International Atomic Energy Agency.

To put it simply, the catalyst was the Iran case. For at least two decades, the Iranian regime has been pursuing a covert nuclear program. According to the November 2003 report of the IAEA, Iran's deceptions have dealt with the most sensitive aspects of the nuclear cycle. Furthermore, the International Atomic Energy Agency could not disprove that Iran's nuclear program was not for weapons development. In 2004, the IAEA reports enumerated more Iranian breaches, including work on an element that could be used for nuclear explosions. And the response from the Iranian Foreign Minister as well as the Secretary of Iran's Supreme National Security Council was that Iran had to be recognized by the international community as a member of the nuclear club and, "This is an irreversible path," they said.

Fast forward to this year, and the news reports appearing in the last few months state that the Iranian regime plans to install 54,000 advanced P-2 model centrifuges at its facility in Natanz. The Director General of the IAEA has called upon Iran to allow its inspectors full access to the sites in Lavizan and Parchin.

Yet Iran has recently barred the International Atomic Energy Agency from visiting those sites, and Western intelligence sources cited by the media sources suspect that Iran may be experimenting with high explosives appropriate for nuclear weapons.

Just yesterday at the Board meeting in Vienna of the IAEA, it was revealed that Iran had conducted experiments to create plutonium for many more years beyond what it claimed.

All of this, and Iran has yet to suffer any consequences or has been held accountable by the IAEA for its flagrant and indeed dangerous violations and breaches. In fact, Iran recently served on the Board of Governors of the International Atomic Energy Agency because, under the current structure, under its policies, countries that are suspected of breaching their safeguards, they are allowed to serve in leadership positions within the Agency.

The Iran case as well as the linkage to the nuclear black market network of Pakistani scientist A.Q. Khan illustrates another grave issue, the need to deny and deprive terrorists, whether state or nonstate actors, the access to the technology, to the parts, and to the materials to develop a nuclear-related arsenal. These dangers prompted the gentleman from Illinois (Chairman HYDE) and me to take immediate steps within the context of the U.N. reform bill to strengthen the International Atomic Energy Agency in the areas of safeguard inspections and nuclear security; also, to effectively use U.S. contributions to deny rogue states and state sponsors of terrorism, such as Iran, such as Syria, the ability to pursue dangerous weapons with virtual impunity.

And title III of this bill thereby translates objectives into concrete actions to achieve U.S.

counterproliferation goals. It seeks the establishment of an Office of Compliance and enforcement within the Secretariat of the Agency to function as an independent body of technical experts that will assess the activities of member states and recommend specific penalties for those that are in breach or violation of their obligations. Also, it establishes a Special Committee on Safeguards and Verification to advise the Board of Governors on additional measures necessary to enhance the Agency's ability to detect undeclared activities by member nations. Furthermore, it seeks the suspension of privileges of member states that are under investigation or in breach or non-compliance of their obligations and the establishment of membership criteria that would keep such rogue states, such as Iran, such as Syria, from serving on the Board of Governors.

The section in this act reinforces our U.S. priorities concerning the safety of nuclear materials and counterproliferation by calling for U.S. voluntary contributions to the Agency to primarily be used to fund activities related to nuclear security.

And, Mr. Chairman, that is why, under the leadership and expertise of the gentleman from Illinois (Chairman HYDE), we understand that the bill before us and especially Title III of this bill translates these objectives into concrete actions, and we hope that the full body will recommend passage of this bill.

The CHAIRMAN. The time of the gentlewoman from Florida expired.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume.

The International Atomic Energy Agency is a vital U.N.-affiliated agency that directly serves the national security interests of the United States and underpins the global nuclear non-proliferation regime.

The IAEA safeguards and inspection system is the primary means, and sometimes the only means, by which we and the rest of the world can gain information and insight into the nuclear activities of countries of concern such as Iran.

□ 1930

I want to take this opportunity to commend the IAEA's investigation into Iran's deceit, obfuscation and outright lies about its nuclear activities. For over 2 years now, IAEA investigators have refused to be intimidated by Iran's crude threats and tactics, and they keep confronting Tehran with facts and inconsistencies in Iran's feeble excuses and fabrications about its nuclear activities.

Even today, Mr. Chairman, an IAEA official is reporting that Iran has admitted, when confronted by IAEA investigators, to conducting plutonium processing experiments far more recently than it previously claimed and lying about when it obtained uranium centrifuge enrichment equipment.

Mr. Chairman, we must provide with all the financial and other support that

we can, while pushing it, and its governing councils of member states, to give it more authority to investigate and even punish countries that have violated their safeguards agreements and their non-nuclear commitments. The provisions of the Lantos-Shays substitute amendment do just that.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate under Part 1 of Subpart C has expired.

It is now in order to consider amendment No. 1 printed in Subpart C of Part 1 of House Report 109-132.

PART 1, SUBPART C AMENDMENT NO. 1 OFFERED BY MR. CANTOR

Mr. CANTOR. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart C amendment No. 1 offered by Mr. CANTOR:

In section 301, redesignate subsection (d) as subsection (e).

In section 301, insert after subsection (c) the following new subsection:

(d) NUCLEAR PROGRAM OF IRAN.—

(1) UNITED STATES ACTION.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to make every effort to ensure the adoption of a resolution by the IAEA Board of Governors that makes Iran ineligible to receive any nuclear material, technology, equipment, or assistance from any IAEA Member State and ineligible for any IAEA assistance not related to safeguards inspections or nuclear security until the IAEA Board of Governors determines that Iran—

(A) is providing full access to IAEA inspectors to its nuclear-related facilities;

(B) has fully implemented and is in compliance with the Additional Protocol; and

(C) has permanently ceased and dismantled all activities and programs related to nuclear-enrichment and reprocessing.

(2) PENALTIES.—If an IAEA Member State is determined to have violated the prohibition on assistance to Iran described in paragraph (1) before the IAEA Board of Governors determines that Iran has satisfied the conditions described in subparagraphs (A) through (C) of such paragraph, such Member State shall be subject to the penalties described in section 301(a)(3), shall be ineligible to receive nuclear material, technology, equipment, or assistance from any IAEA Member State, and shall be ineligible to receive any IAEA assistance not related to safeguards inspections or nuclear security until such time as the IAEA Board of Governors makes such determination with respect to Iran.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Virginia (Mr. CANTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of this amendment to increase the ability of the United States to protect our world from the spread of nuclear weapons to dangerous governments.

This amendment does two things: first, it calls for the U.S. permanent

representative to the International Atomic Energy Agency to do all it can to ensure that Iran be cut off from any nuclear material technology and assistance.

Secondly, the amendment provides for penalties for any country that continues to provide assistance to Iran's nuclear efforts.

Mr. Chairman, for over 35 years Iran has been a non-nuclear party to the Nuclear Nonproliferation Treaty. As such, it is bound by the treaty to open up all of its nuclear program efforts for international inspection. Despite this obligation, Iran has continued to pursue the development of nuclear capability in the dark without transparency.

Two years ago, an Iranian opposition group revealed the location of hidden facilities used for the development of a nuclear program, locations which have since been verified by the IAEA. As the gentlewoman from Florida (Chairman ROS-LEHTINEN) pointed out just yesterday, Iran acknowledged working with plutonium, a possible nuclear arms component, for years longer than it admitted to the IAEA. We also found out it had received sensitive technology that can be used as parts of weapons programs earlier than it originally said it did.

Iran claims these efforts are for a peaceful purpose. But how can one really believe that Iran needs a civilian nuclear program when it sits on the world's second largest proven reserves of natural gas, not to mention its petroleum deposits? Clearly, Mr. Chairman, I posit Iran cannot be trusted.

As Iran has repeatedly lied to the world regarding the extent and sophistication of its nuclear program, Tehran serves as the world's capital for the export and sponsorship of terrorism. It has demonstrated a willingness to provoke its neighbors, as well as the United States and Israel. Past efforts to stop Iran's pursuit of nuclear weapons have obviously failed.

Mr. Chairman, this amendment makes a clear and unequivocal declaration to Iran, as well as to the nations of the world, that the United States is serious about stopping Iran's development of nuclear weapons. I urge the passage of this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. BERKLEY. Mr. Chairman, I am not opposed to the amendment, and I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Nevada?

There was no objection.

The CHAIRMAN. The gentlewoman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

Ms. BERKLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to thank the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) for their work on this issue,

and my good friend, the gentleman from Virginia (Mr. CANTOR), for cosponsoring this amendment with me.

This amendment would take a strong stand against Iranian nuclear proliferation and would help to ensure that Iran ceases its weapons program. The amendment directs the permanent representative to the IAEA to use his influence to ensure that Iran does not receive any nuclear material or technological assistance from other IAEA member states. This restriction will remain in place until Iran allows full access to its nuclear-related facilities by IAEA inspectors, has fully implemented IAEA's additional protocol, and has completely ended all nuclear enrichment programs.

Tehran has relentlessly pursued a large-scale, covert nuclear weapons program for almost 2 decades. This program represents the great proliferation challenge to the United States. Iran is the most active state sponsor of terrorism. It has provided Hezbollah, Hamas, Islamic jihad, and the Popular Front For the Liberation of Palestine with funding, training, and weapons to continue their terrorist attacks throughout the world.

Unless the world community intervenes, Iran will become the first active state sponsor of terrorism to acquire the greatest instrument of terror and destruction, nuclear weapons. A nuclear-armed Iran will terrorize and destabilize the entire Middle East and pose a serious threat to Europe, Asia, Africa, as well as the United States.

Iran has already tested the Shahab-3 missile, with a range of over 1,250 miles. This not only puts Israel, the only democracy in the Middle East, in danger, but can be used to attack U.S. bases in the region. There is strong evidence that Iran would be willing to sell nuclear material to the highest bidder. Worse yet, Iran might be willing to simply give the nuclear material away. Faced with the reality of a radical Iran with nuclear weapons, other countries in the region might feel compelled to develop their own nuclear capability to maintain an awful balance of power.

Iran continues to deceive the international community and hide its actions from international observers. Iran did not acknowledge the existence of the Natanz fuel enrichment plant until after its existence was discovered. This facility can manufacture enough uranium to produce 25 to 30 nuclear weapons per year. In 2003, Iran admitted that it had a laser uranium enrichment program not previously disclosed.

We know of two facilities that manufacture and refine nuclear materials, including an enrichment facility designed for 1,000 centrifuges, and a large buried facility intended to house up to 50,000 centrifuges.

Today, a report was delivered to the IAEA's Board of Governors by the Deputy Director General of the UN. In it Iran admits to experimenting with and producing plutonium.

Recently, Moscow entered into an agreement to provide nuclear fuel for

Iran's controversial Bushehr reactor. Under the agreement, Russia would control the fissile material. But there is nothing to prevent Iran from withdrawing from the agreement. If Iran did that, the Bushehr reactor could produce enough plutonium annually for 30 nuclear weapons.

The Ayatollahs of Terror must not be allowed to acquire nuclear weapons under any circumstances. A nuclear Iran threatens the entire planet. I urge adoption of this amendment.

Mr. LANTOS. Mr. Chairman, will the gentlewoman yield?

Ms. BERKLEY. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I want to commend my good friend from Virginia and the gentlewoman from Nevada for their outstanding amendment. We strongly support it.

Ms. BERKLEY. Mr. Chairman, I yield back the balance of my time.

Mr. CANTOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from California for his leadership and also the gentlewoman from Nevada. But I do want to take this time, Mr. Chairman, to recognize the extraordinary leadership of the gentleman from Illinois (Chairman HYDE) of the Committee on International Relations.

The gentleman from Illinois is truly a man with a backbone of steel and a heart of gold. He is an icon of this institution; and I, for one, know I am joined by every Member of this House in thanking him for his leadership on this bill and the number of other measures that he has worked on and done such a tremendous job with.

I am proud to be here in support of the Henry J. Hyde U.N. Reform bill, and I know my colleagues join me in thanking the gentleman from Illinois (Chairman HYDE) for all that he does.

In paraphrasing a well-known phrase, I would like to just say, Mr. Chairman, I sleep better every night knowing that HENRY HYDE is here fighting for America.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. CANTOR).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. CANTOR. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia (Mr. CANTOR) will be postponed.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in Subpart C of Part 1 of House Report 109-132.

PART 1, SUBPART C AMENDMENT NO. 2 OFFERED  
BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Is the gentleman from New Jersey seeking to offer the

amendment as the designee of the gentleman from Illinois (Mr. KIRK)?

Mr. SMITH of New Jersey. Yes, I am. The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart C amendment No. 2 offered by Mr. SMITH of New Jersey:

In section 301, redesignate subsection (d) as subsection (e).

In section 301, insert after subsection (c) the following new subsection:

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

(1) rescind and eliminate the Small Quantities Protocol;

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

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

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from New Jersey (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, by way of background, the Small Quantities Protocol frees countries from reporting the possession of up to 10 tons of uranium, up to 20 tons of depleted uranium, depending on enrichment, and up to 2.2 pounds of plutonium. Some experts suggest that 10 tons of natural uranium can be processed into sufficient material for up to two nuclear warheads. Iran has already reportedly utilized much smaller quantities of uranium or plutonium in laboratory experiments with suspected links to nuclear arms programs.

A recent IAEA internal memorandum reportedly recommended that the agency's board approve no further small quantity protocols and that it grant the IAEA chief the authority to ask that all signatories to the protocol agree to cancel them.

This amendment seeks to close the loophole from the inspections regime by, number one, calling for the IAEA to rescind the Small Quantities Protocol; secondly, to require that any nation that has signed the Small Quantities Protocol to have implemented and be in compliance with the additional protocol providing for more stringent inspections; and, third, to prohibit any IAEA members from receiving any nuclear-related material, technology, equipment, or assistance and be subjected to penalties if they do

not adhere to the higher inspection standards.

Clearly, Mr. Chairman, the protocol is out of date in an era marked by secret nuclear programs that have been discovered in Iran, Libya and North Korea, and where the bar is set much higher for suspicions of possible atomic activities. By rescinding the Small Quantities Protocol, the IAEA will have additional access to evaluate the nuclear program of an IAEA member state and to confirm that the state is in full compliance with its safeguards obligations.

Mr. Chairman, I reserve the balance of my time.

Mr. MENENDEZ. Mr. Chairman, I am not opposed to the amendment, but I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The gentleman from New Jersey (Mr. MENENDEZ) is recognized for 5 minutes.

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I wanted to rise in strong support of the previous amendment by the gentleman from Virginia (Mr. CANTOR) and the gentlewoman from Nevada (Ms. BERKELEY). It is an important initiative, one that I have been working on in similar context for some time as a member of the Committee on International Relations.

It is certainly appropriate that we be voting on this amendment tonight, the day after Iran admits that it has once again lied to the international community, this time about its plutonium experiments, 5 years after they said that they had ceased continuing such experiments.

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For nearly two decades, Iran has pursued a clandestine nuclear program, while claiming it had to keep this program hidden from the international community because of sanctions against it. Iran has repeatedly stated that it will never give up its right to enrich fuel for peaceful purposes under the Nuclear Nonproliferation Treaty.

What they have here is clearly a pattern of deception. They have forfeited their right to any peaceful nuclear technology when they deliberately hid the activities, facilities, and materials of their nuclear program from the entire world for nearly two decades.

Let us be clear. Iran is a country with huge oil and natural gas reserves. They simply do not need nuclear power for energy consumption. That is why I am very happy to support this amendment. We need to send a very clear message. It is clearly in the national security interest of the United States that Iran cannot move forward with impunity, and, certainly, that we do

not, through the IAEA, give it operational capacity to do so; to be able to have the ability, for example, at the Bushehr Nuclear Facility, to be able to have operational capacity.

That is why that amendment is clearly so important. I look forward to the State Department authorization bill, where language has been included that we hope moves us closer, along with the Security Council, to coming to understand the grave nature of the challenge that we face in Iran and its nuclear energy.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I thank my good friend, the gentleman from New Jersey for yielding me this time, and I rise in strong support of the amendment that the gentleman from New Jersey (Mr. SMITH) has proffered. I commend the gentleman from Illinois for being the original author of the amendment, and I am proud to be his cosponsor.

The reason we need this amendment is that a quantity of nuclear materials that could be put into a suitcase and made into a nuclear weapon and detonated in Times Square or in some other major place in the United States or around the world could be legally obscured from international inspection under the present protocol. This inspection protocol was written at a time when nuclear weapons were only reusable on warheads or submarines. It ignored the deadly new technology that can compress the size of the weapons, but not their deadliness.

The fact of the matter is that no quantity of uranium or plutonium that could be used for weapon purposes is too small for inspection. Those who would deem it worthy of using these quantities are more dangerous with smaller amounts.

So the idea here is that the international inspection regime be geared to the realities of the present risk. It is a very good idea. I would urge Members on both sides to support it so we can preclude the awful day when a very small amount of weapons material makes a very big and horrible difference for innocent people in our country or innocent people around the world.

I would urge a "yes" vote in favor of the amendment.

Mr. MENENDEZ. Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. SMITH).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider Amendment No. 3 printed in Subpart C of Part 1 of House Report 109-132.

PART 1, SUBPART C AMENDMENT NO. 3 OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart C Amendment No. 3 offered by Mr. MARKEY:

In section 301(a)(3), amend the paragraph heading so as to read: "PENALTIES WITH RESPECT TO THE IAEA.—".

In section 301(a), add at the end the following new paragraph:

(4) PENALTIES WITH RESPECT TO THE NUCLEAR NONPROLIFERATION TREATY.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that a Member State of the IAEA that is found to be in breach of, in noncompliance with, or has withdrawn from the Nuclear Nonproliferation Treaty shall return to the IAEA all nuclear materials and technology received from the IAEA, any Member State of the IAEA, or any Member State of the Nuclear Nonproliferation Treaty.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, in the 35 years since the Nuclear Nonproliferation Treaty has been in force, much has changed around the world, but what has not changed is the danger inherent in the spread of nuclear weapons.

My amendment says that the President of the United States shall direct the United States permanent representative to the IAEA to use their influence and their vote to secure an agreement within the IAEA requiring that any member state of the NPT that is in breach of the treaty or withdraws from the treaty must return any nuclear materials or technology acquired for peaceful purposes.

Now, why is this amendment needed? Well, for the first time in the treaty's history, one country has withdrawn from the treaty. In 2002, international inspectors were asked to leave North Korea, and, in 2003, North Korea withdrew from the nonproliferation treaty. And just this year North Korea announced to the world that it has nuclear weapons; all the while, North Korea is allowed to keep any and all nuclear materials, nuclear technology, and assistance they receive as a member of the NPT.

So while considerable diplomatic activity has taken place to try to convince North Korea to reverse its action, there is actually no rule in place now at the IAEA that would require North Korea to return all of the nuclear materials it received.

My amendment would mandate that the President direct the United States permanent representative at the IAEA to secure such an agreement amongst the IAEA member states.

This type of requirement is not just important because of North Korea. Currently we have Iran declaring its rights to pursue all nuclear technology for peaceful purposes, it says. The United States and Europe are worried that Iran has a clandestine nuclear weapons program, but all the while Iran is insisting on its right to receive all nuclear materials, nuclear technology, and assistance for its peaceful program.

Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, I rise in support of the amendment, and I yield myself such time as I may consume.

Let me just say to my friends and colleagues that this is a good amendment, and, on behalf of the majority, we would like to accept it.

I would say very briefly that unless states which are in noncompliance with their nuclear nonproliferation treaty obligations, or which seek to withdraw from the treaty, are forced to give up their peaceful nuclear capabilities legally acquired under the treaty, they can use these to illegally develop nuclear weapons. As was pointed out by my colleague, such states as North Korea and Iran have already used their status as nuclear nonproliferation treaty parties to develop nuclear weapons, and this closes the loophole. It is a good amendment.

Mr. Chairman, I yield the remainder of the time to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in support of this amendment offered by the gentleman from Massachusetts (Mr. MARKEY). The global nuclear nonproliferation regime that has served the world well for many years has developed shortcomings, and the Markey amendment addresses one such shortcoming that I think we must address.

This is an issue that is especially important to me as chairman of the Subcommittee on International Terrorism and Nonproliferation. We held a hearing in April on the Nuclear Nonproliferation Treaty, and one of the key issues that we looked at was how NPT states should address the noncompliance or attempted withdrawal of a state from the treaty. This amendment takes a step forward in solving this challenge by calling upon the President to work with other International Atomic Energy Agency member states to mandate that any State which is found to be in noncompliance with its NPT obligations, or attempts to withdraw from the NPT, will be

compelled to return all the nuclear materials and technology it received as a consequence of being an NPT member. I believe such a provision would be helpful in convincing states to adhere to their NPT obligations.

States such as North Korea and Iran have likely already used their status, past status in the case of North Korea, as NPT states to develop nuclear weapons programs, and I believe it is vital that the United States play a leading role in multilateral efforts to close the loophole in the NPT that allows states to receive nuclear energy assistance, but not pay any penalty if they subsequently withdraw from the treaty, as has North Korea. Compelling the surrender of materials and equipment gained under the NPT would be a positive step forward, so I am pleased to support the Markey amendment.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I thank my friend for yielding me this time. I want to commend him on this most important amendment.

We cannot permit countries such as Iran to profit from their exploitation of the nuclear nonproliferation regime to acquire nuclear equipment and technology that they then use to develop nuclear weapons capabilities in violation of their solemn commitments under the Nuclear Nonproliferation Treaty.

The Markey amendment is a necessary step to establish a new global requirement that violators of the Nuclear Nonproliferation Treaty must surrender all nuclear materials, equipment, and technology they acquired through the subterfuge of "peaceful nuclear activities."

This is a singularly significant amendment, and I urge my colleagues across the aisle to support the amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield back the balance of my time.

Mr. MARKEY. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Massachusetts has 2 minutes remaining.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

I will conclude by saying this: There are no Democrats, there are no Republicans when it comes to the issue of nuclear nonproliferation. The one thing that President Bush and JOHN KERRY agreed upon in their Presidential debates is that this is the most important issue in the world. It may have been the only thing that they agreed upon, but they did agree upon this one issue.

Now, interestingly, in the Atomic Energy Act of the United States, in 1954, it is, in fact, a requirement under our law that if another nation is in violation of the agreement, that the nuclear materials which we give to that country is not used for peaceful pur-

poses, that all of the materials that we have sent to that country must be returned to our country.

What this amendment says is that as a member of the United Nations and the IAEA, that we now will extend this not just to the United States, but to all countries in the world; that the IAEA must enforce a requirement that if a country is in violation of its agreement to use materials only for peaceful purposes, then the IAEA must act immediately to begin the process of reclaiming all of the material that all of the countries of the world have sent to that country which is in violation of the law.

We must put teeth in this law. We must not allow the short-term diplomatic or political agenda of any President or any Secretary of State, Democrat or Republican, to interfere with the overarching goal of ensuring that nuclear weapons are not used anywhere on this planet at any time.

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And so I urge all Members to support this amendment. It goes a long way in sending a message to the rest of the world that the United States intends on being the leader on the issue of nuclear nonproliferation, regardless of which other country in the world is involved and regardless of which other country in the world was the supplier of those materials. We will be the moral leader.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment No. 1 printed in Subpart A by the gentleman from New York (Mr. KING), amendment No. 5 printed in Subpart A by the gentleman from Texas (Mr. POE), amendment No. 1 printed in Subpart C by the gentleman from Virginia (Mr. CANTOR).

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PART 1, SUBPART A, AMENDMENT NO. 1 OFFERED BY MR. KING OF NEW YORK

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 1 printed in Subpart A of Part 1 of House Report 109-132 offered by the gentleman from New York (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 405, noes 13, answered “present” 1, not voting 14, as follows:

[Roll No. 270]

AYES—405

Abercrombie	Deal (GA)	Jackson (IL)
Ackerman	DeFazio	Jackson-Lee
Aderholt	DeGette	(TX)
Akin	Delahunt	Jefferson
Alexander	DeLauro	Jenkins
Allen	DeLay	Jindal
Andrews	Dent	Johnson (CT)
Baca	Diaz-Balart, L.	Johnson (IL)
Bachus	Diaz-Balart, M.	Johnson, E. B.
Baird	Dicks	Johnson, Sam
Baker	Dingell	Jones (NC)
Baldwin	Doggett	Kanjorski
Barrett (SC)	Doolittle	Kaptur
Barrow	Doyle	Keller
Bartlett (MD)	Drake	Kelly
Barton (TX)	Dreier	Kennedy (MN)
Bass	Duncan	Kennedy (RI)
Bean	Edwards	Kildee
Beauprez	Ehlers	Kilpatrick (MI)
Becerra	Emanuel	Kind
Berkley	Emerson	King (IA)
Berman	Engel	King (NY)
Berry	English (PA)	Kingston
Biggert	Eshoo	Kirk
Billirakis	Etheridge	Kline
Bishop (GA)	Evans	Knollenberg
Bishop (NY)	Everett	Kolbe
Bishop (UT)	Farr	Kuhl (NY)
Blackburn	Fattah	LaHood
Blunt	Feeney	Langevin
Boehlert	Ferguson	Lantos
Boehner	Filner	Larsen (WA)
Bonilla	Fitzpatrick (PA)	Larson (CT)
Bonner	Flake	Latham
Boozman	Foley	LaTourette
Boren	Forbes	Leach
Boswell	Ford	Levin
Boucher	Fortenberry	Lewis (CA)
Boustany	Fossella	Lewis (GA)
Boyd	Fox	Lewis (KY)
Bradley (NH)	Frank (MA)	Linder
Brady (PA)	Franks (AZ)	Lipinski
Brady (TX)	Frelinghuysen	LoBiondo
Brown (OH)	Gallely	Lofgren, Zoe
Brown (SC)	Garrett (NJ)	Lowe
Brown, Corrine	Gerlach	Lucas
Brown-Waite,	Gibbons	Lungren, Daniel
Ginny	Gilchrest	E.
Burgess	Gingrey	Lynch
Burton (IN)	Gohmert	Mack
Butterfield	Gonzalez	Maloney
Buyer	Goode	Manzullo
Calvert	Goodlatte	Marchant
Camp	Gordon	Markey
Cannon	Granger	Marshall
Cantor	Graves	Matheson
Capito	Green (WI)	Matsui
Capps	Green, Al	McCarthy
Cardoza	Green, Gene	McCaul (TX)
Carnahan	Grijalva	McCollum (MN)
Carson	Gutierrez	McCotter
Carter	Gutknecht	McCrery
Case	Hall	McGovern
Castle	Harman	McHenry
Chabot	Harris	McHugh
Chandler	Hart	McIntyre
Chocola	Hastings (WA)	McKeon
Clay	Hayes	McMorris
Cleaver	Hayworth	McNulty
Clyburn	Hefley	Meehan
Coble	Hensarling	Meek (FL)
Cole (OK)	Herger	Meeks (NY)
Conaway	Herseth	Melancon
Cooper	Higgins	Menendez
Costa	Hinojosa	Mica
Costello	Hobson	Michaud
Cramer	Hoekstra	Miller (FL)
Crenshaw	Holden	Miller (MI)
Crowley	Holt	Miller (NC)
Cubin	Honda	Miller, Gary
Culberson	Hostettler	Miller, George
Cummings	Hoyer	Mollohan
Cunningham	Hulshof	Moore (KS)
Davis (AL)	Hunter	Moore (WI)
Davis (CA)	Hyde	Moran (KS)
Davis (FL)	Inglis (SC)	Moran (VA)
Davis (IL)	Inslee	Murphy
Davis (KY)	Israel	Murtha
Davis (TN)	Issa	Musgrave
Davis, Jo Ann	Istook	Myrick

Nadler	Rogers (MI)
Napolitano	Rohrabacher
Neal (MA)	Ros-Lehtinen
Neugebauer	Ross
Ney	Rothman
Northup	Roybal-Allard
Norwood	Royce
Nunes	Ruppersberger
Nussle	Rush
Obey	Ryan (OH)
Oliver	Ryan (WI)
Ortiz	Ryun (KS)
Osborne	Sabo
Otter	Salazar
Owens	Sánchez, Linda
Oxley	T.
Pallone	Sanchez, Loretta
Pascarell	Sanders
Pastor	Saxton
Paul	Schakowsky
Payne	Schiff
Pearce	Schwartz (PA)
Pence	Schwarz (MI)
Peterson (MN)	Scott (GA)
Peterson (PA)	Sensenbrenner
Petri	Serrano
Pickering	Shadegg
Pitts	Shaw
Platts	Shays
Poe	Sherman
Pombo	Sherwood
Pomeroy	Shimkus
Porter	Shuster
Price (GA)	Simmons
Price (NC)	Simpson
Pryce (OH)	Skelton
Putnam	Slaughter
Radanovich	Smith (NJ)
Rahall	Smith (TX)
Ramstad	Smith (WA)
Regula	Snyder
Rehberg	Sodrel
Reichert	Solis
Renzi	Souder
Reynolds	Spratt
Rogers (AL)	Stearns
Rogers (KY)	Strickland

NOES—13

Capuano	Kucinich	Scott (VA)
Conyers	Lee	Stark
Hastings (FL)	McDermott	Woolsey
Hinche	McKinney	
Jones (OH)	Rangel	

ANSWERED “PRESENT”—1

Waters

NOT VOTING—14

Blumenauer	Davis, Tom	Oberstar
Bono	Gillmor	Pelosi
Cardin	Hooley	Reyes
Cox	Millender-	Sessions
Cuellar	McDonald	Young (AK)

□ 2027

Mrs. JONES of Ohio, Ms. LEE, Mr. CONYERS, Ms. WOOLSEY, and Messrs. CAPUANO, McDERMOTT, KUCINICH and RANGEL changed their vote from “aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PART 1, SUBPART A AMENDMENT NO. 5 OFFERED

BY MR. POE

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 5 printed in Subpart A, Part 1 of House Report 109-132 offered by the gentleman from Texas (Mr. POE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 402, noes 14, not voting 17, as follows:

[Roll No. 271]

AYES—402

Abercrombie	DeFazio	Jenkins
Ackerman	DeGette	Jindal
Aderholt	Delahunt	Johnson (CT)
Akin	DeLauro	Johnson (IL)
Alexander	DeLay	Johnson, E. B.
Allen	Dent	Johnson, Sam
Andrews	Diaz-Balart, L.	Jones (NC)
Baca	Diaz-Balart, M.	Jones (OH)
Bachus	Dicks	Kanjorski
Baird	Dingell	Kaptur
Baker	Doggett	Keller
Baldwin	Doolittle	Kelly
Barrett (SC)	Doyle	Kennedy (MN)
Barrow	Drake	Kennedy (RI)
Bartlett (MD)	Dreier	Kildee
Barton (TX)	Duncan	Kilpatrick (MI)
Bass	Edwards	Kind
Bean	Ehlers	King (IA)
Beauprez	Emanuel	King (NY)
Becerra	Emerson	Kingston
Berkley	Engel	Kirk
Berman	English (PA)	Kline
Berry	Eshoo	Knollenberg
Biggert	Etheridge	Kolbe
Billirakis	Evans	Kuhl (NY)
Bishop (GA)	Everett	LaHood
Bishop (NY)	Farr	Langevin
Bishop (UT)	Fattah	Lantos
Blackburn	Feeney	Larsen (WA)
Blunt	Ferguson	Larson (CT)
Boehlert	Filner	Latham
Boehner	Fitzpatrick (PA)	LaTourette
Bonilla	Flake	Leach
Bonner	Foley	Levin
Boozman	Forbes	Lewis (CA)
Boren	Ford	Lewis (GA)
Boswell	Fortenberry	Lewis (KY)
Boucher	Fossella	Linder
Boustany	Fox	Lipinski
Boyd	Franks (AZ)	LoBiondo
Bradley (NH)	Frelinghuysen	Lofgren, Zoe
Brady (PA)	Gallely	Lowey
Brady (TX)	Garrett (NJ)	Lucas
Brown (OH)	Gerlach	Lungren, Daniel
Brown (SC)	Gibbons	E.
Brown, Corrine	Gilchrest	Lynch
Brown-Waite,	Gingrey	Mack
Ginny	Gohmert	Maloney
Burgess	Gonzalez	Manzullo
Burton (IN)	Goode	Marchant
Butterfield	Goodlatte	Markey
Calvert	Gordon	Marshall
Camp	Granger	Matheson
Cannon	Graves	Matsui
Cantor	Green (WI)	McCarthy
Capito	Green, Al	McCaul (TX)
Capps	Green, Gene	McCollum (MN)
Capuano	Grijalva	McCotter
Cardoza	Gutierrez	McCrery
Carnahan	Gutknecht	McHenry
Carter	Hall	McHugh
Case	Harman	McIntyre
Castle	Harris	McKeon
Chabot	Hart	McKinney
Chandler	Hastings (WA)	McMorris
Chocola	Hayes	McNulty
Clay	Hayworth	Meehan
Cleaver	Hefley	Meek (FL)
Clyburn	Hensarling	Meeks (NY)
Coble	Herger	Melancon
Cole (OK)	Herseth	Menendez
Conaway	Higgins	Mica
Cooper	Hinchey	Michaud
Costa	Hinojosa	Miller (FL)
Costello	Hobson	Miller (MI)
Cramer	Hoekstra	Miller (NC)
Crenshaw	Holden	Miller, Gary
Crowley	Holt	Miller, George
Cubin	Hostettler	Mollohan
Culberson	Hoyer	Moore (KS)
Cummings	Hulshof	Moran (KS)
Cunningham	Hunter	Moran (VA)
Davis (AL)	Hyde	Murphy
Davis (CA)	Inglis (SC)	Murtha
Davis (FL)	Israel	Musgrave
Davis (IL)	Issa	Myrick
Davis (KY)	Istook	Nadler
Davis (TN)	Jackson-Lee	Napolitano
Davis, Jo Ann	(TX)	Neal (MA)
Deal (GA)	Jefferson	Neugebauer

Oxley	Ryun (KS)	Taylor (MS)
Pallone	Sabo	Taylor (NC)
Pascrell	Salazar	Terry
Pastor	Sánchez, Linda	Thomas
Payne	T.	Thompson (CA)
Pearce	Sanchez, Loretta	Thompson (MS)
Pence	Sanders	Thornberry
Peterson (MN)	Saxton	Tiahrt
Peterson (PA)	Schakowsky	Tiberi
Petri	Schiff	Tierney
Pickering	Schwartz (PA)	Towns
Pitts	Schwarz (MI)	Turner
Platts	Scott (GA)	Udall (CO)
Poe	Scott (VA)	Udall (NM)
Pombo	Sensenbrenner	Upton
Pomeroy	Serrano	Van Hollen
Porter	Shadegg	Velázquez
Price (GA)	Shaw	Visclosky
Price (NC)	Shays	Walden (OR)
Pryce (OH)	Sherman	Walsh
Putnam	Sherwood	Wamp
Radanovich	Shimkus	Wasserman
Rahall	Shuster	Schultz
Ramstad	Simmons	Waters
Rangel	Simpson	Watson
Regula	Skelton	Watt
Rehberg	Slaughter	Waxman
Reichert	Smith (NJ)	Weiner
Renzi	Smith (TX)	Weldon (FL)
Reynolds	Smith (WA)	Weldon (PA)
Rogers (AL)	Snyder	Weller
Rogers (KY)	Sodrel	Westmoreland
Rogers (MI)	Solis	Wexler
Rohrabacher	Souder	Whitfield
Ros-Lehtinen	Spratt	Wicker
Ross	Stearns	Wilson (NM)
Rothman	Strickland	Wilson (SC)
Royal-Allard	Stupak	Wolf
Royce	Sullivan	Woolsey
Ruppersberger	Sweeney	Wu
Rush	Tancred	Wynn
Ryan (OH)	Tanner	Young (FL)
Ryan (WI)	Tauscher	

NOES—9

Abercrombie	Lee	Moore (WI)
Conyers	McDermott	Paul
Kucinich	McKinney	Stark

NOT VOTING—13		
Blumenauer	Gillmor	Pelosi
Bono	Hooley	Reyes
Cox	Millender-	Sessions
Cuellar	McDonald	Young (AK)
Davis, Tom	Oberstar	

The vote was taken by electronic device, and there were—ayes 411, noes 9, not voting 13, as follows:

Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick (MI)  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline  
Knollenberg  
Kolbe  
Kuhl (NY)  
LaHood  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren, Zoe  
Lowey  
Lucas  
Lungren, Daniel  
E.

Lynch  
Mack  
Maloney  
Manzullo  
Marchant  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy  
McCaull (TX)  
McCollum (MN)  
McCotter  
McCrery  
McGovern  
McHenry  
McHugh  
McIntyre  
McKeon  
McMorris  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Melancon  
Menendez  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moore (KS)  
Moran (VA)  
Moran (KS)  
Murphy  
Murtha  
Mugruga  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Obey  
Oliver  
Ortiz  
Osborne  
Otter  
Owens

NOES—9

Abercrombie	Lee	Moore (WI)
Conyers	McDermott	Paul
Kucinich	McKinney	Stark
NOT VOTING—13		
Blumenauer	Gillmor	Pelosi
Bono	Hooley	Reyes
Cox	Millender	Sessions
Cuellar	McDonald	Young (AK)
Davis, Tom	Oberstar	

□ 2056

Mr. CAPUANO changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. FORTENBERRY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. BASS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2745) to reform the United Nations, and for other purposes, had come to no resolution thereon.

## LIMITING DEBATE ON HOUSE RESOLUTION 324

Mr. DELAY. Mr. Speaker, I ask unanimous consent that debate on the resolution noticed by the gentleman from New York (Mr. NADLER) be limited to 30 minutes equally divided and controlled by the gentleman from New York (Mr. NADLER) and the gentleman from Wisconsin (Mr. SENSENBRENNER).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?