

(b) An opportunity to answer or comment upon the statement of alleged derogatory information, in writing, and to submit affidavits.

(c) An opportunity for hearing before the Board, or a panel thereof of at least three members, including the right of the person to be represented by counsel, to present witnesses and other evidence in his behalf, and to cross-examine witnesses offered in support of the derogatory information: *Provided*, That the Board shall conduct its hearings in such manner as to protect from disclosure information affecting the national security.

4. Based upon all the evidence before it, including such confidential information as it may have in its possession, the Board shall make its determinations in writing, and shall send to each person who is the subject thereof a copy. In cases in which hearing or other action is by a panel of three members, the action or determination of the panel shall constitute the action or determination of the Board, except that rules and regulations pursuant to paragraph 3 of this Part shall be adopted by action of the Board as a whole.

5. Except as otherwise specified in this order, the Office of Personnel Management shall provide the necessary investigative and other services required by the Board. All agencies of the executive branch of the Government are authorized and directed to cooperate with the Board, and, to the extent permitted by law, to furnish the Board such information and assistance as it may require in the performance of its functions.

6. All cases arising under this order which are pending before the Regional Loyalty Boards and the Loyalty Review Board of the Commission on the effective date of Executive Order No. 10450 of April 27, 1953, shall on that date be transferred to the Board.

DELEGATION OF AUTHORITY ON RATES OF COMPENSATION
FOR U.S. REPRESENTATIVES TO THE UNITED NATIONS

Memorandum of President of the United States, Apr. 1, 1997, 62 F.R. 18261, provided:

Memorandum for the Secretary of State

By virtue of the authority vested in me by the Constitution and laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate to the Secretary of State the functions vested in the President by section 2(g) of the United Nations Participation Act of 1945 (Public Law 79-264, 22 U.S.C. 287(g)).

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON.

§ 287a. Action by representatives in accordance with Presidential instructions; voting

The representatives provided for in section 287 of this title, when representing the United States in the respective organs and agencies of the United Nations, shall, at all times, act in accordance with the instructions of the President transmitted by the Secretary of State unless other means of transmission is directed by the President, and such representatives shall, in accordance with such instructions, cast any and all votes under the Charter of the United Nations.

(Dec. 20, 1945, ch. 583, § 3, 59 Stat. 620.)

§ 287b. Reports to Congress by President

(a) Periodic reports

The President shall, from time to time as occasion may require, but not less than once each year, make reports to the Congress of the activities of the United Nations and of the participation of the United States therein.

(b) Annual report on financial contributions

Not later than July 1 of each year, the Secretary of State shall submit a report to the des-

ignated congressional committees on the extent and disposition of all financial contributions made by the United States during the preceding year to international organizations in which the United States participates as a member.

(c) Annual report

In addition to the report required by subsection (a), the President, at the time of submission of the annual budget request to the Congress, shall submit to the designated congressional committees a report that includes the following:

(1) Costs of peacekeeping operations

(A) A description of all assistance from the United States to the United Nations to support peacekeeping operations that—

(i) was provided during the previous fiscal year;

(ii) is expected to be provided during the fiscal year; or

(iii) is included in the annual budget request to Congress for the forthcoming fiscal year.

(B) With respect to United Nations peacekeeping operations—

(i) the aggregate cost of all United Nations peacekeeping operations for the prior fiscal year;

(ii) the costs of each United Nations peacekeeping operation for the prior fiscal year; and

(iii) the amount of United States contributions (both assessed and voluntary) to United Nations peacekeeping operations on an operation-by-operation basis for the prior fiscal year.

(C) With respect to other international peacekeeping operations in which the United States participates—

(i) the aggregate cost of all such operations for the prior fiscal year;

(ii) the costs of each such operation for the prior fiscal year; and

(iii) the amount of United States contributions (both assessed and voluntary) to such operations on an operation-by-operation basis for the prior fiscal year.

(D) For assessed or voluntary contributions described in subparagraph (B)(iii) or (C)(iii) that exceed \$100,000 in value, including in-kind contributions—

(i) the total amount or estimated value of all such contributions to the United Nations and to each of its affiliated agencies and related bodies;

(ii) the nature and estimated total value of all in-kind contributions in support of United Nations peacekeeping operations and other international peacekeeping operations, including—

(I) logistics;

(II) airlift;

(III) arms and materiel;

(IV) nonmilitary technology and equipment;

(V) personnel; and

(VI) training;

(iii) the approximate percentage of all such contributions to the United Nations

and to each such agency or body when compared with all contributions to the United Nations and to each such agency or body from any source; and

(iv) for each such United States Government contribution to the United Nations and to each such agency or body—

(I) the amount or value of the contribution;

(II) a description of the contribution, including whether it is an assessed or voluntary contribution;

(III) the purpose of the contribution;

(IV) the department or agency of the United States Government responsible for the contribution; and

(V) the United Nations or United Nations affiliated agency or related body that received the contribution.

(E) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.

(2) Other matters regarding peacekeeping operations

(A) An assessment of the effectiveness of ongoing international peacekeeping operations, their relevance to United States national interests, the efforts by the United Nations and other international organizations (as applicable) to resolve the relevant armed conflicts, and the projected termination dates for all such operations.

(B) The dollar value and percentage of total peacekeeping contracts that have been awarded to United States contractors during the previous year.

(3) United Nations reform

(A)(i) A description of the status of efforts to establish and implement an independent office of the Inspector General at the United Nations.

(ii) If an office of the Inspector General has been established at the United Nations, a discussion of whether the Inspector General is keeping the Secretary General and the members of the General Assembly fully informed about problems, deficiencies, the necessity for corrective action, and the progress of corrective action.

(iii) For purposes of this subparagraph, the term “office of the Inspector General” means an independent office (or other independent entity) established by the United Nations to conduct and supervise objective audits, inspections, and investigations relating to the programs and operations of the United Nations.

(B) A description of the status of efforts to reduce the United States peacekeeping assessment rate.

(C) A description of the status of other United States efforts to achieve financial and management reform at the United Nations.

(4) Military personnel participating in multinational forces

A description of—

(A) the status under international law of members of multinational forces, including the legal status of such personnel if captured, missing, or detained;

(B) the extent of the risk for United States military personnel who are captured while participating in multinational forces in cases where their captors fail to respect the 1949 Geneva Conventions and other international agreements intended to protect prisoners of war; and

(C) the specific steps that have been taken to protect United States military personnel participating in multinational forces, together (if necessary) with any recommendations for the enactment of legislation to achieve that objective.

(5) Human rights and U.N. peacekeeping forces

A description of the efforts by United Nations peacekeeping forces to promote and protect internationally recognized human rights standards, including the status of investigations in any case of alleged human rights violations during the preceding year by personnel participating in United Nations peacekeeping forces, as well as any action taken in such cases.

(d) Consultations and reports on United Nations peacekeeping operations

(1) Consultations

Each month the President shall consult with Congress on the status of United Nations peacekeeping operations.

(2) Information to be provided

In connection with such consultations, the following information shall be provided each month to the designated congressional committees:

(A) With respect to ongoing United Nations peacekeeping operations, the following:

(i) A list of all resolutions of the United Nations Security Council anticipated to be voted on during such month that would extend or change the mandate of any United Nations peacekeeping operation.

(ii) For each such operation, any changes in the duration, mandate, and command and control arrangements that are anticipated as a result of the adoption of the resolution.

(iii) An estimate of the total cost to the United Nations of each such operation for the period covered by the resolution, and an estimate of the amount of that cost that will be assessed to the United States.

(iv) Any anticipated significant changes in United States participation in or support for each such operation during the period covered by the resolution (including the provision of facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 [50 U.S.C. 3091 et seq.]), and the estimated costs to the United States of such changes.

(B) With respect to each new United Nations peacekeeping operation that is anticipated to be authorized by a Security Council resolution during such month, the following information for the period covered by the resolution:

(i) The anticipated duration, mandate, and command and control arrangements of such operation, the planned exit strategy, and the vital national interest to be served.

(ii) An estimate of the total cost to the United Nations of the operation, and an estimate of the amount of that cost that will be assessed to the United States.

(iii) A description of the functions that would be performed by any United States Armed Forces participating in or otherwise operating in support of the operation, an estimate of the number of members of the Armed Forces that will participate in or otherwise operate in support of the operation, and an estimate of the cost to the United States of such participation or support.

(iv) A description of any other United States assistance to or support for the operation (including the provision of facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 [50 U.S.C. 3091 et seq.]), and an estimate of the cost to the United States of such assistance or support.

(v) A reprogramming of funds pursuant to section 2706 of this title, submitted in accordance with the procedures set forth in such section, describing the source of funds that will be used to pay for the cost of the new United Nations peacekeeping operation, provided that such notification shall also be submitted to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

(3) Form and timing of information

(A) Form

The President shall submit information under clauses (i) and (iii) of paragraph (2)(A) in writing.

(B) Timing

(i) Ongoing operations

The information required under paragraph (2)(A) for a month shall be submitted not later than the 10th day of the month.

(ii) New operations

The information required under paragraph (2)(B) shall be submitted in writing with respect to each new United Nations peacekeeping operation not less than 15 days before the anticipated date of the vote on the resolution concerned unless the President determines that exceptional circumstances prevent compliance with the requirement to report 15 days in advance. If the President makes such a determination, the information required under paragraph (2)(B) shall be submitted as far in advance of the vote as is practicable.

(4) New United Nations peacekeeping operation defined

As used in paragraph (2), the term “new United Nations peacekeeping operation” in-

cludes any existing or otherwise ongoing United Nations peacekeeping operation—

(A) where the authorized force strength is to be expanded;

(B) that is to be authorized to operate in a country in which it was not previously authorized to operate; or

(C) the mandate of which is to be changed so that the operation would be engaged in significant additional or significantly different functions.

(5) Notification and quarterly reports regarding United States assistance

(A) Notification of certain assistance

(i) In general

The President shall notify the designated congressional committees at least 15 days before the United States provides any assistance to the United Nations to support peacekeeping operations.

(ii) Exception

This subparagraph does not apply to—

(I) assistance having a value of less than \$3,000,000 in the case of non-reimbursable assistance or less than \$14,000,000 in the case of reimbursable assistance; or

(II) assistance provided under the emergency drawdown authority of sections 2318(a)(1) and 2348a(c)(2) of this title.

(B) Annual report

The President shall submit an annual report to the designated congressional committees on all assistance provided by the United States during the preceding calendar year to the United Nations to support peacekeeping operations. Each such report shall describe the assistance provided for each such operation, listed by category of assistance.

(e) Designated congressional committees

In this section, the term “designated congressional committees” means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.

(f) Relationship to other notification requirements

Nothing in this section is intended to alter or supersede any notification requirement with respect to peacekeeping operations that is established under any other provision of law.

(Dec. 20, 1945, ch. 583, § 4, 59 Stat. 620; Pub. L. 103-236, title IV, §§ 406, 407(b), Apr. 30, 1994, 108 Stat. 448, 450; Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title VII, § 724(a)(1), (2), (b)], Nov. 29, 1999, 113 Stat. 1536, 1501A-465, 1501A-467; Pub. L. 107-228, div. A, title IV, § 405(a), Sept. 30, 2002, 116 Stat. 1390; Pub. L. 114-323, title III, § 306(a), Dec. 16, 2016, 130 Stat. 1920.)

Editorial Notes

REFERENCES IN TEXT

The National Security Act of 1947, referred to in subsec. (d)(2)(A)(iv), (B)(iv), is act July 26, 1947, ch. 343, 61

Stat. 495, which was formerly classified principally to chapter 15 (§ 401 et seq.) of Title 50, War and National Defense, prior to editorial reclassification in chapter 44 (§ 3001 et seq.) of Title 50. Title V of the Act is now classified generally to subchapter III (§ 3091 et seq.) of chapter 44 of Title 50. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Another subsec. (a)(2) of section 724 of Pub. L. 106-113, div. B, § 1000(a)(7), repealed section 407(a) of Pub. L. 103-236, formerly set out as a note below.

AMENDMENTS

2016—Subsec. (c)(1)(A). Pub. L. 114-323, § 306(a)(1), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “In accordance with section 407(a)(5)(B) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, a description of all assistance provided by the United States to the United Nations to support peacekeeping operations during the previous calendar quarter and during the previous year.”

Subsec. (c)(1)(D). Pub. L. 114-323, § 306(a)(2), amended subpar. (D) generally. Prior to amendment, subpar. (D) read as follows: “In the case of the first 2 reports submitted pursuant to this subsection, a projection of all United States costs for United Nations peacekeeping operations during each of the next 2 fiscal years, including assessed and voluntary contributions.”

Subsec. (c)(1)(E). Pub. L. 114-323, § 306(a)(3), added subpar. (E).

2002—Subsec. (b). Pub. L. 107-228, § 405(a)(1), (2), added subsec. (b) and struck out heading and text of former subsec. (b). Text read as follows: “Not later than 3 days (excluding Saturdays, Sundays, and legal holidays) after adoption of any resolution by the Security Council, the Secretary of State shall transmit the text of such resolution and any supporting documentation to the designated congressional committees.”

Subsecs. (c), (d). Pub. L. 107-228, § 405(a)(1), (4), redesignated subsecs. (d) and (e) as (c) and (d), respectively, and struck out heading and text of former subsec. (c). Text read as follows: “The Secretary of State shall promptly transmit to the designated congressional committees any published report prepared by the United Nations and distributed to the members of the Security Council that contains assessments of any proposed, ongoing, or concluded United Nations peacekeeping operation.”

Subsec. (e). Pub. L. 107-228, § 405(a)(4), redesignated subsec. (f) as (e). Former subsec. (e) redesignated (d).

Subsec. (e)(5)(B). Pub. L. 107-228, § 405(a)(3), added subpar. (B) and struck out former subpar. (B) which related to quarterly reports.

Subsecs. (f), (g). Pub. L. 107-228, § 405(a)(4), redesignated subsec. (g) as (f). Former subsec. (f) redesignated (e).

1999—Subsec. (a). Pub. L. 106-113, § 1000(a)(7) [title VII, § 724(a)(1)], struck out at end “He shall make special current reports on decisions of the Security Council to take enforcement measures under the provisions of the Charter of the United Nations, and on the participation therein under his instructions, of the representative of the United States.”

Subsecs. (e) to (g). Pub. L. 106-113, § 1000(a)(7) [title VII, § 724(a)(2), (b)], added subsecs. (e) to (g) and struck out heading and text of former subsec. (e). Text read as follows: “As used in this section, the term ‘designated congressional committees’ has the meaning given that term by section 415 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.”

1994—Pub. L. 103-236 designated existing provisions as subsec. (a), inserted heading, and added subsecs. (b) to (e).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Af-

fairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (a) of this section relating to reporting to Congress not less than once each year, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 39 of House Document No. 103-7.

PUBLIC AVAILABILITY OF INFORMATION

Pub. L. 114-323, title III, § 306(b), Dec. 16, 2016, 130 Stat. 1921, provided that: “Not later than 14 days after submitting each report under section 4(c) of the United Nations Participation Act of 1945 (22 U.S.C. 287b(c)), the Director of the Office of Management and Budget shall post a text-based, searchable version of any unclassified information described in paragraph (1)(D) of such section (as amended by subsection (a) of this section) on a publicly available website.”

CONSULTATIONS AND REPORTS ON UNITED NATIONS PEACEKEEPING OPERATIONS

Pub. L. 103-236, title IV, § 407(a), Apr. 30, 1994, 108 Stat. 448, directed President to consult monthly with Congress on status of United Nations peacekeeping operations, to provide certain information to designated congressional committees on a monthly or interim basis, to notify such committees at least 15 days before the United States would provide assistance to the United Nations to support peacekeeping assistance, and to submit quarterly reports on all such assistance, prior to repeal by Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title VII, § 724(a)(2)], Nov. 29, 1999, 113 Stat. 1536, 1501A-467. See subsec. (e) of this section.

DESIGNATED CONGRESSIONAL COMMITTEES

Pub. L. 103-236, title IV, § 415, Apr. 30, 1994, 108 Stat. 456, provided that: “For purposes of this part [part A (§§ 401 to 415) of title IV of Pub. L. 103-236, enacting section 2321n of this title, amending this section, enacting provisions set out as notes under this section and section 287e of this title, and amending provisions set out as notes under section 287e of this title], the term ‘designated congressional committees’ means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives.”

REPORT ON POLICIES PURSUED BY OTHER COUNTRIES IN INTERNATIONAL ORGANIZATIONS

Pub. L. 98-164, title I, § 117, Nov. 22, 1983, 97 Stat. 1022, as amended by Pub. L. 100-204, title VII, § 707, Dec. 22, 1987, 101 Stat. 1390, directed Secretary of State to transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, by Jan. 31 of each year, a report regarding policies which each member country of United Nations pursued in international organizations of which United States was a member, prior to repeal by Pub. L. 103-236, title I, § 139(27), Apr. 30, 1994, 108 Stat. 399.

Executive Documents

DELEGATION OF FUNCTIONS

For delegation of congressional reporting functions of President under this section, see section 1 of Ex. Ord. No. 13313, July 31, 2003, 68 F.R. 46073, 46074, set out as a note under section 301 of Title 3, The President.

§ 287b-1. Additional report on other United States contributions to the United Nations

(a) In general

Not later than 90 days after December 16, 2016, and annually thereafter, the Director of the Of-