

13. AN AMENDMENT IN THE NATURE OF A SUBSTITUTE IF OFFERED BY REPRESENTATIVE LANTOS OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 30 MINUTES:

IS
REV

**AMENDMENT TO H.R. 2745, AS REPORTED
OFFERED BY MR. LANTOS OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “United Nations Reform and Institutional Strengthening
4 Act of 2005”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for
6 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. Certification requirements.
- Sec. 104. Accountability.
- Sec. 105. Terrorism and the United Nations.
- Sec. 106. Equality at the United Nations.
- Sec. 107. Reforms at the specialized agencies.
- Sec. 108. Report on United Nations reform.
- Sec. 109. Report on United Nations personnel.
- Sec. 110. Anti-Semitism and the United Nations.
- Sec. 111. United Nations cooperation relating to oil-for-food investigation.

TITLE II—HUMAN RIGHTS AND THE ECONOMIC AND SOCIAL COUNCIL

- Sec. 201. Human Rights.
- Sec. 202. Economic and Social Council (ecosoc).
- Sec. 203. International responsibility to protect.

TITLE III—INTERNATIONAL ATOMIC ENERGY AGENCY

- Sec. 301. International atomic energy agency.



Sec. 302. Sense of Congress regarding the Nuclear Security Action Plan of the IAEA.

TITLE IV—PEACEKEEPING

- Sec. 401. Sense of Congress regarding reform of United Nations Peacekeeping Operations.
- Sec. 402. Statement of policy relating to reform of United Nations Peacekeeping Operations.
- Sec. 403. Certification.
- Sec. 404. United States Contributions to United Nations Peacekeeping Operations.
- Sec. 405. Genocide and the United Nations.
- Sec. 406. Rule of construction relating to protection of United States officials and members of the Armed Forces.

TITLE V—DEPARTMENT OF STATE AND GOVERNMENT ACCOUNTABILITY OFFICE

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

TITLE VI—CERTIFICATIONS AND WITHHOLDING OF CONTRIBUTIONS

- Sec. 601. Certifications and withholding of Contributions.
- Sec. 602. Diplomatic Campaign to Achieve Reform.

TITLE VII—UNITED NATIONS RENEWAL AND TOOLS TO FULLY IMPLEMENT UNITED NATIONS REFORM

- Sec. 701. Synchronization of U.S. assessed Contributions to International Organizations.
- Sec. 702. Increased funding for United States assessed contribution to the United Nations to support reform efforts.
- Sec. 703. Buyout of United Nations personnel.
- Sec. 704. United Nations democracy fund.
- Sec. 705. United States personnel to international organizations.

1 SEC. 2. DEFINITIONS.

2 In this Act:

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

6 Committee on Foreign Relations of the Senate.



1 (2) ECONOMIC AND SOCIAL COUNCIL.—The
2 term “Economic and Social Council” means the
3 Economic and Social Council of the United Nations.

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

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

11 (5) MEMBER STATE.—The term “Member
12 State” means a Member State of the United Na-
13 tions.

14 (6) OFFICE OF INTERNAL OVERSIGHT SERV-
15 ICES.—The terms “Office of Internal Oversight
16 Services” and “OIOS” mean the Office of Internal
17 Oversight Services of the United Nations.

18 (7) SECRETARY.—The term “Secretary” means
19 the Secretary of State.

20 (8) SECRETARY GENERAL.—The term “Sec-
21 retary General” means the Secretary General of the
22 United Nations.

23 (9) SECURITY COUNCIL.—The term “Security
24 Council” means the Security Council of the United
25 Nations.



1 (10) SPECIALIZED AGENCY.—The term “spe-
2 cialized agency” means any of the following agencies
3 of the United Nations:

4 (A) The Food and Agriculture Organiza-
5 tion, or FAO.

6 (B) The International Atomic Energy
7 Agency, or IAEA.

8 (C) The International Civil Aviation Orga-
9 nization, or ICAO.

10 (D) The International Fund for Agricul-
11 tural Development, or IFAD.

12 (E) The International Labor Organization,
13 or ILO.

14 (F) The International Maritime Organiza-
15 tion, or IMO.

16 (G) The International Telecommunication
17 Union, or ITU.

18 (H) The United Nations Educational, Sci-
19 entific, and Cultural Organization, or
20 UNESCO.

21 (I) The United Nations Industrial Develop-
22 ment Organization, or UNIDO.

23 (J) The Universal Postal Union, or UPU.

24 (K) The World Health Organization, or
25 WHO.



1 (L) The World Meteorological Organiza-
2 tion, or WMO.

3 (M) The World Intellectual Property Orga-
4 nization, or WIPO.

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

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

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

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

15 (a) AUTHORIZATION WITH RESPECT TO THE REG-
16 ULAR ASSESSED BUDGET OF THE UNITED NATIONS.—
17 The Secretary is authorized to make contributions toward
18 the amount assessed to the United States by the United
19 Nations for the purpose of funding the regular assessed
20 budget of the United Nations.

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



1 "SEC. 11. UNITED STATES FINANCIAL CONTRIBUTIONS TO
2 THE UNITED NATIONS.

3 "(a) POLICY OF THE UNITED STATES RELATING TO
4 THE REGULAR ASSESSED BUDGET OF THE UNITED NA-
5 TIONS.—

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

10 "(A) to pursue a streamlined, efficient,
11 and accountable regular assessed budget of the
12 United Nations;

13 "(B) to make efforts to shift funding
14 mechanisms of some of the organizational pro-
15 grams of the United Nations from the regular
16 assessed budget to voluntarily funded programs;
17 and

18 "(C) to shift funding from entities whose
19 efforts are found duplicative or unbalanced
20 under section 106(b) of the United Nations Re-
21 form and Institutional Strengthening Act of
22 2005 to programs under subsection (b) of this
23 section or other related programs.

24 "(2) FUTURE BIENNIUM BUDGETS.—The Presi-
25 dent shall direct the United States Permanent Rep-
26 resentative to the United Nations to use the voice,



1 vote, and influence of the United States at the
2 United Nations to seek to shift funding mechanisms
3 of operational programs of the United Nations and
4 to reduce the funding for programs specified in sub-
5 section (c) in future resolutions agreed to by the
6 General Assembly for the regular assessed budget of
7 the United Nations.

8 “(b) ELIGIBLE ORGANIZATIONAL PROGRAMS.—To
9 the extent that any organizational programs are shifted
10 from the regular assessed budget to voluntarily funded
11 programs, the Secretary shall seek to use funds created
12 by any reduction in the amount of the United States as-
13 sessed contribution to the United Nations to make vol-
14 untary contributions to programs at the United Nations
15 which—

16 “(1) conduct internal oversight;

17 “(2) promote human rights;

18 “(3) provide humanitarian assistance; and

19 “(4) are organizational programs which have
20 been shifted from assessed to voluntary contribu-
21 tions.

22 “(c) PUBLIC INFORMATION AND GENERAL ASSEM-
23 BLY AFFAIRS AND CONFERENCE SERVICES.—The Presi-
24 dent shall direct the United States Permanent Represent-
25 ative to the United Nations to use the voice, vote, and



1 influence of the United States at the United Nations to
2 reduce by 20 percent the amount budgeted by resolution
3 of the General Assembly for the 2008–2009 biennium
4 compared to the amount budgeted by resolution of General
5 Assembly for the 2004–2005 biennial period for the fol-
6 lowing organizational programs:

7 “(1) Public Information.

8 “(2) General Assembly affairs and conference
9 services.”

10 **SEC. 102. WEIGHTED VOTING.**

11 It shall be the policy of the United States to actively
12 pursue weighted voting in the United Nations with respect
13 to all budgetary and financial matters in the Administra-
14 tive and Budgetary Committee and in the General Assem-
15 bly in accordance with the level of the financial contribu-
16 tion of a Member State to the regular assessed budget
17 of the United Nations.

18 **SEC. 103. CERTIFICATION REQUIREMENTS.**

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

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



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

4 (A) require the maintenance of a budget
5 not in excess of the level agreed to by the Gen-
6 eral Assembly at the beginning of each United
7 Nations budgetary biennium, unless increases
8 are agreed to by consensus and do not exceed
9 ten percent, or unless the Secretary of State
10 certifies that any increase that would be incon-
11 sistent with this paragraph is important to the
12 national interest of the United States; and

13 (B) require the identification of expendi-
14 tures by the United Nations by functional cat-
15 egories such as personnel, travel, and equip-
16 ment.

17 (2) PROGRAM EVALUATION.—

18 (A) EVALUATION OF PROGRAMS.—The
19 Secretary General has used the existing au-
20 thorities to take measures to ensure that pro-
21 gram managers within the United Nations Sec-
22 retariat conduct evaluations of such programs
23 in accordance with the standardized method-
24 ology referred to in subparagraph (B) of United



1 Nations programs approved by the General As-
2 sembly.

3 (B) DEVELOPMENT OF EVALUATION CRI-
4 TERIA.—The Office of Internal Oversight Serv-
5 ices has developed a standardized methodology
6 for the evaluation of United Nations programs
7 approved by the General Assembly, including
8 specific criteria for determining the continuing
9 relevance and effectiveness of the programs.

10 (C) REPORT.—The Secretary General is
11 assessing budget requests and, on the basis of
12 the evaluations of programs conducted pursuant
13 to subparagraph (A) for the relevant preceding
14 year, reports to the General Assembly on the
15 continuing relevance and effectiveness of such
16 programs and identifies those that need reform
17 or should be terminated.

18 (D) SUNSET OF PROGRAMS.—Consistent
19 with the July 16, 1997, recommendations of the
20 Secretary General regarding a sunset policy and
21 results-based budgeting for United Nations pro-
22 grams, the United Nations has established and
23 is implementing procedures to require all new
24 programs approved by the General Assembly to
25 have a specific sunset date or a date by which



1 such programs should be evaluated for con-
2 tinuing relevance and effectiveness.

3 **SEC. 104. ACCOUNTABILITY.**

4 (a) **CERTIFICATION OF CREATION OF INDEPENDENT**
5 **OVERSIGHT BOARD.**—In accordance with section 601, a
6 certification shall be required that certifies that the fol-
7 lowing reforms related to the establishment of an Inde-
8 pendent Oversight Board (IOB) have been adopted by the
9 United Nations:

10 (1) An IOB or an equivalent entity is estab-
11 lished. Except as provided in paragraph (2), the
12 IOB shall be an independent entity within the
13 United Nations and shall not be subject to budget
14 authority or organizational authority of any entity
15 within the United Nations.

16 (2) The head of the IOB shall be a Director.
17 The IOB shall also consist of four other board mem-
18 bers who shall be nominated by the Secretary Gen-
19 eral and subject to Security Council approval by a
20 majority vote. The IOB shall be responsible to the
21 Security Council. The Director and board members
22 shall each serve terms of six years, except that the
23 terms of the initial board shall be staggered so that
24 the terms of not more than two board members will
25 expire in any one year. No board member may serve



1 more than two terms. An IOB board member may
2 be removed for cause by a majority vote of the Secu-
3 rity Council. The Director shall appoint a profes-
4 sional staff headed by a Chief of Staff and may em-
5 ploy contract staff as needed.

6 (3) The IOB shall receive operational and budg-
7 etary funding through appropriations by the General
8 Assembly and shall not be dependent upon any other
9 bureau, division, or department of the United Na-
10 tions for such funding.

11 (4) The IOB shall have the authority to evalu-
12 ate all operations of the Office of Internal Oversight
13 Services and the Board of External Auditors of the
14 United Nations. Every three months or more fre-
15 quently when appropriate, the IOB shall submit, as
16 appropriate, to the Secretary General, the Security
17 Council, the General Assembly, or the Economic and
18 Social Council a report on its activities, relevant ob-
19 servations, and recommendations relating to its
20 audit operations, including information relating to
21 the inventory and status of investigation by the Of-
22 fice of Internal Oversight Services. The IOB may di-
23 rect the Office of Internal Oversight Services or the
24 Board of External Auditors to initiate an investiga-
25 tion.



1 (5) In extraordinary circumstances, and with
2 the concurrence of the Secretary General and Security
3 Council by majority vote, the IOB may augment
4 the Office of Internal Oversight Services with a special
5 investigator and staff consisting of individuals
6 who are not employees of the United Nations, to investigate
7 matters involving senior officials of the
8 United Nations when allegations of serious misconduct
9 have been made and such a special investigation is necessary
10 to maintain public confidence in the integrity of the investigation.
11 A special investigation staff shall comply with all United Nations
12 financial disclosure and conflict of interest rules, including
13 the filing of an individual annual financial disclosure form in
14 accordance with subsection (c).

15
16 (6) The IOB shall recommend annual budgets for the Office of
17 Internal Oversight Services and the Board of External Auditors.

18
19 (b) CERTIFICATION OF UNITED NATIONS REFORMS
20 OF THE OFFICE OF INTERNAL OVERSIGHT SERVICES.—
21 In accordance with section 601, a certification shall be required
22 that certifies that the following reforms related to the Office
23 of Internal Oversight Services (OIOS) have been adopted by the
24 United Nations:



1 (1) The OIOS is designated as an independent
2 entity within the United Nations. The OIOS shall
3 not be subject to budget authority or organizational
4 authority of any entity within the United Nations.

5 (2) The head of the OIOS shall be a Director.

6 (3) The OIOS shall receive operational and
7 budgetary funding through appropriations by the
8 General Assembly and shall not be dependent upon
9 any other bureau, division, department, or special-
10 ized agency for such funding.

11 (4) All United Nations officials, including offi-
12 cials from any bureau, division, or department of the
13 United Nations, may—

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

17 (B) report to the OIOS information or al-
18 legations of misconduct or inefficiencies within
19 the United Nations.

20 (5) The OIOS may, sua sponte, initiate and
21 conduct an investigation of any bureau, division, de-
22 partment, or employee (including the Secretary Gen-
23 eral) of the United Nations or contractor or consult-
24 ant for the United Nations.



1 (6) At least every three months and more fre-
2 quently when appropriate, the OIOS or another re-
3 sponsible office shall submit to the IOB a report
4 containing an inventory and status of its investiga-
5 tions.

6 (7) The OIOS shall establish or approve proce-
7 dures for providing "whistle-blower" status and em-
8 ployment protections for all employees of the United
9 Nations, who provide informational leads and testi-
10 mony related to allegations of wrongdoing. Such pro-
11 cedures shall be adopted throughout the United Na-
12 tions. Such status and protection may not be con-
13 ferred on the Secretary General.

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

22 (9) The Director of OIOS shall establish a posi-
23 tion of Associate Director of OIOS for Specialized
24 Agencies and Funds and Programs, who shall be re-
25 sponsible for supervising the OIOS liaison and over-



1 sight duties for each specialized agency and funds
2 and programs of the United Nations. With the con-
3 currence of the Director and the relevant specialized
4 agency, the Associate Director may hire and appoint
5 necessary OIOS staff, including staff serving within
6 and located at a specialized agency and funds and
7 programs permanently or as needed to liaison with
8 existing audit functions with each specialized agency
9 and funds and programs.

10 (10) Not later than six months after the date
11 of the enactment of this Act, the Director shall es-
12 tablish a position of Associate Director of OIOS for
13 Peacekeeping Operations or an equivalent position,
14 who shall be responsible for the oversight and audit-
15 ing of the field offices attached to United Nations
16 peacekeeping operations. The Associate Director of
17 OIOS for Peacekeeping Operations shall—

18 (A) receive informational leads and testi-
19 mony from any person regarding allegations of
20 wrongdoing by United Nations officials or
21 peacekeeping troops or regarding inefficiencies
22 associated with United Nations peacekeeping
23 operations; and



1 (B) shall be responsible for initiating, con-
2 ducting, and overseeing investigations within
3 peacekeeping operations.

4 (11)(A) Not later than six months after the
5 date of the enactment of this Act, the Director shall
6 establish a position of Associate Director of OIOS
7 for Procurement and Contract Integrity or an equiv-
8 alent position, who shall be responsible for auditing
9 and inspecting procurement and contracting within
10 the United Nations. The Associate Director of OIOS
11 for Procurement and Contract Integrity shall—

12 (i) receive informational leads and testi-
13 mony from any person regarding allegations of
14 wrongdoing by United Nations officials or re-
15 garding inefficiencies associated with United
16 Nations procurement or contracting activities;
17 and

18 (ii) be responsible for initiating, con-
19 ducting, and overseeing investigations of pro-
20 curement and contract activities.

21 (B) Not later than 12 months after the estab-
22 lishment of the position of Associate Director of
23 OIOS for Procurement and Contract Integrity, the
24 Director, with the assistance of the Associate Direc-
25 tor of OIOS for Procurement and Contract Integ-



1 rity, shall undertake a review of contract procedures
2 to ensure that practices and policies are in place to
3 ensure that—

4 (i) the United Nations has ceased issuing
5 single bid contracts, except during an emer-
6 gency situation that is justified by the Under
7 Secretary General for Management;

8 (ii) the United Nations has established ef-
9 fective controls to prevent conflicts of interest
10 in the award of contracts; and

11 (iii) the United Nations has established ef-
12 fective procedures and policies to ensure effec-
13 tive and comprehensive oversight and moni-
14 toring of United Nations contract performance.

15 (c) CERTIFICATION OF ESTABLISHMENT OF UNITED
16 NATIONS OFFICE OF ETHICS.—In accordance with sec-
17 tion 601, a certification shall be required that certifies
18 that the following reforms related to the establishment of
19 a United Nations Office of Ethics or an equivalent entity
20 (UNOE) have been established by the United Nations:

21 (1) A UNOE is established. The UNOE shall
22 be an independent entity within the United Nations
23 and shall not be subject to budget authority or orga-
24 nizational authority of any entity within the United
25 Nations. The UNOE shall be responsible for estab-



1 lishing, managing, and enforcing a code of ethics for
2 all employees of the United Nations. The UNEO
3 shall be responsible for providing such employees
4 with annual training related to such code. The head
5 of the UNEO shall be a Director.

6 (2) The UNEO shall receive operational and
7 budgetary funding through appropriations by the
8 General Assembly and shall not be dependent upon
9 any other bureau, division, department, or special-
10 ized agency of the United Nations for such funding.

11 (3) The Director of the UNEO shall, not later
12 than six months after the date of its establishment,
13 publish a report containing proposals for imple-
14 menting a system for the filing and review of indi-
15 vidual annual financial disclosure forms by each em-
16 ployee of the United Nations at the P-5 level and
17 above and by all consultants for the United Nations
18 compensated at any salary level. Such forms shall be
19 made available at the request of the Director of the
20 Office of Internal Oversight Services. Such system
21 shall seek to identify and prevent conflicts of inter-
22 est by United Nations employees and shall be com-
23 parable to the system used for such purposes by the
24 United States Government. Such report shall also



1 address broader reforms of the ethics program for
2 the United Nations, including—

3 (A) the effect of the establishment of eth-
4 ics officers throughout all organizations within
5 the United Nations;

6 (B) the effect of retention by the UNEO of
7 annual financial disclosure forms;

8 (C) proposals for making completed annual
9 financial disclosure forms of each employee and
10 consultant available to the public, on request,
11 through the mission to the United Nations of
12 the Member State of which the employee or
13 consultant is a national;

14 (D) proposals for annual disclosure to the
15 public of information related to the annual sala-
16 ries and payments, including pension payments
17 and buyouts, of employees of and consultants
18 for the United Nations;

19 (E) proposals for annual disclosure to the
20 public of information related to per diem rates
21 for all bureaus, divisions, departments, or spe-
22 cialized agencies within the United Nations;

23 (F) proposals for disclosure upon request
24 by the Ambassador of a Member State of infor-
25 mation related to travel and per diem payments



1 made from United Nations funds to any person;
2 and

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

7 (d) CERTIFICATION OF UNITED NATIONS ESTAB-
8 LISHMENT OF POSITION OF CHIEF OPERATING OFFI-
9 CER.—In accordance with section 601, a certification shall
10 be required that certifies that the following reforms re-
11 lated to the establishment of the position of a Chief Oper-
12 ating Officer or an equivalent position have been adopted
13 by the United Nations:

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

17 (2) The COO shall be responsible for formu-
18 lating general policies and programs for the United
19 Nations in coordination with the Secretary General
20 and in consultation with the Security Council and
21 the General Assembly. The COO shall be responsible
22 for the daily administration, operation and super-
23 vision, and the direction and control of the business
24 of the United Nations. The COO shall also perform
25 such other duties and may exercise such other pow-



1 ers as from time to time may be assigned to the
2 COO by the Secretary General.

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

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

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

18 (2) a comprehensive convention on terrorism
19 that includes the definition described in paragraph
20 (1).

21 **SEC. 106. EQUALITY AT THE UNITED NATIONS.**

22 (a) **INCLUSION OF ISRAEL IN WEOG.**—

23 (1) **IN GENERAL.**—The President shall direct
24 the United States Permanent Representative to the
25 United Nations to use the voice, vote, and influence



1 of the United States to expand the Western Euro-
2 pean and Others Group (WEOG) in the United Na-
3 tions to include Israel as a permanent member with
4 full rights and privileges.

5 (2) NOTIFICATION TO CONGRESS.—Not later
6 than six months after the date of the enactment of
7 this Act and every six months thereafter for the suc-
8 ceeding 2-year period, the Secretary of State shall
9 notify the appropriate congressional committees con-
10 cerning the treatment of Israel in the United Na-
11 tions and the expansion of WEOG to include Israel
12 as a permanent member.

13 (b) DEPARTMENT OF STATE REVIEW AND RE-
14 PORT.—

15 (1) IN GENERAL.—To avoid duplicative efforts
16 and funding with respect to Palestinian interests
17 and to ensure balance in the approach to Israeli-
18 Palestinian issues, the Secretary shall conduct an
19 audit of the functions of the entities listed in para-
20 graph (2) and submit to the appropriate congress-
21 sional committees, not later than 60 days after en-
22 actment of this Act, a report containing rec-
23 ommendations for the elimination of such entities.

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



1 (A) The United Nations Division for Pales-
2 tinian Rights.

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

5 (C) The United Nations Special Coordi-
6 nator for the Middle East Peace Process and
7 Personal Representative to the Palestine Lib-
8 eration Organization and the Palestinian Au-
9 thority.

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

12 (E) The United Nations Relief and Works
13 Agency for Palestinian Refugees in the Near
14 East.

15 (F) The Special Committee to Investigate
16 Israeli Practices Affecting the Human Rights of
17 the Palestinian People and Other Arabs of the
18 Occupied Territories.

19 (G) Such other entities as the Secretary
20 determines to constitute duplicative efforts and
21 funding or fail to ensure balance in the ap-
22 proach to Israeli-Palestinian issues.

23 (c) IMPLEMENTATION BY PERMANENT REPRESENTA-
24 TIVE.—



1 (1) IN GENERAL.—The President shall direct
2 the United States Permanent Representative to the
3 United Nations to use the voice, vote, and influence
4 of the United States at the United Nations to seek
5 the implementation of the recommendations con-
6 tained in the report required under subsection
7 (b)(1).

8 (2) WITHHOLDING OF FUNDS.—Until such rec-
9 ommendations have been implemented, the Secretary
10 of State is authorized to withhold from United
11 States contributions to the regular assessed budget
12 of the United Nations for a biennial period amounts
13 that are proportional to the percentage of such
14 budget that are expended for such entities.

15 (d) GAO AUDIT.—The Comptroller General of the
16 United States shall conduct an audit of—

17 (1) the status of the implementation of the rec-
18 ommendations contained in the report required
19 under subsection (b)(1); and

20 (2) United States action and achievements
21 under subsection (c).

22 **SEC. 107. REFORMS AT THE SPECIALIZED AGENCIES.**

23 (a) BUDGET REFORM.—The Secretary of State shall
24 direct the United States representative to each specialized



1 agency to use the voice, vote, and influence of the United
2 States ensure that each specialized agency—

3 (1) has developed a standardized methodology
4 for the evaluation of the programs of the agency, in-
5 cluding specific criteria for determining the con-
6 tinuing relevance and effectiveness of the programs,
7 patterned on the work of the Office of Internal
8 Oversight Services of the United Nations under sec-
9 tion 103;

10 (2) provides the results of such evaluations to
11 the governing body of such agency; and

12 (3) has established and is implementing proce-
13 dures to require all new programs of such agency
14 have a specific sunset date.

15 (b) ACCOUNTABILITY.—The Secretary of State shall
16 direct the United States representative to each specialized
17 agency to use the voice, vote and influence of the United
18 States to ensure that each specialized agency—

19 (1) has a strengthened internal inspection capa-
20 bility or has agreed to allow the Office on Internal
21 Oversight Services of the United Nations to conduct
22 an investigation or audit of any program in such
23 agency, including any employee or contractor of, or
24 consultant for, such agency; and



1 (2) has adopted whistleblower protections pat-
2 terned on the protections developed by OIOS under
3 section 104 of this Act.

4 (c) ETHICS.—The Secretary shall direct the United
5 States representative to each specialized agency to use the
6 voice, vote and influence of the United States to ensure
7 that each specialized agency—

8 (1) is using a system for the filing and review
9 of individual annual financial disclosure forms devel-
10 oped by the United Nations Ethics Office established
11 by section 104 of this Act or a system patterned
12 after such system; and

13 (2) has established its own ethics office or is
14 using the services of the United Nations Ethics Of-
15 fice to review and otherwise implement the ethics
16 system described in paragraph (1).

17 (d) AUTHORITY.—If the Secretary is unable to certify
18 that one or more of the policies described in this section
19 has been implemented for any specialized agency, the Sec-
20 retary is authorized to withhold up to 50 percent of the
21 United States contribution to the regular assessed budget
22 of such specialized agency, beginning with funds appro-
23 priated for such contribution for fiscal year 2008.



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

2 (a) **IN GENERAL.**—Not later than 180 days after the
3 date of the enactment of this Act, the Secretary shall sub-
4 mit to the appropriate congressional committees a report
5 on United Nations reform since 1990.

6 (b) **CONTENTS.**—The report required under para-
7 graph (1) shall describe—

8 (1) the status of the implementation of manage-
9 ment reforms within the United Nations and its spe-
10 cialized agencies;

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

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

21 (4) the status of the review by the General As-
22 sembly of all mandates older than five years and
23 how resources have been redirected to new chal-
24 lenges, consistent with the March 2005 report of the
25 Secretary General referred to in paragraph (3); and



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

6 (c) UPDATE.—Not later than one year after submit-
7 ting the report under subsection (a), the Secretary shall
8 submit to the appropriate congressional committees a re-
9 port updating the information included in the first report.

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

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

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

20 (2) containing the information described in sub-
21 section (b).

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

23 (1) a comprehensive evaluation of human re-
24 sources reforms at the United Nations, including an
25 evaluation of—



- 1 (A) tenure;
- 2 (B) performance reviews;
- 3 (C) the promotion system;
- 4 (D) a merit-based hiring system and en-
- 5 hanced regulations concerning termination of
- 6 employment of employees; and
- 7 (E) the implementation of a code of con-
- 8 duct and ethics training;
- 9 (2) the implementation of a system of proce-
- 10 dures for filing complaints and protective measures
- 11 for work-place harassment, including sexual harass-
- 12 ment;
- 13 (3) policy recommendations relating to the es-
- 14 tablishment of a rotation requirement for non-
- 15 administrative positions;
- 16 (4) policy recommendations relating to the es-
- 17 tablishment of a prohibition preventing personnel
- 18 and officials assigned to the mission of a Member
- 19 State to the United Nations from transferring to a
- 20 position within the United Nations Secretariat that
- 21 is compensated at the P-5 level or above;
- 22 (5) policy recommendations relating to a reduc-
- 23 tion in travel allowances and attendant oversight
- 24 with respect to accommodations and airline flights;
- 25 and



1 (6) an evaluation of the recommendations of the
2 Secretary General relating to greater flexibility for
3 the Secretary General in staffing decisions to accom-
4 modate changing priorities.

5 **SEC. 110. ANTI-SEMITISM AND THE UNITED NATIONS.**

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

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

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

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

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



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

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

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

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

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

21 **SEC. 111. UNITED NATIONS COOPERATION RELATING TO**
22 **OIL-FOR-FOOD INVESTIGATION.**

23 The President shall direct the United States Perma-
24 nent Representative to the United Nations to make efforts
25 to ensure that the United Nations provides all appropriate



1 and necessary information to the relevant law enforcement
2 authority of a Member State relating to a prosecution ini-
3 tiated by such authority regarding the oil-for-food pro-
4 gram of the United Nations and that the United Nations
5 waives immunity regarding any official charged with a se-
6 rious criminal offense under such prosecution.

7 **TITLE II—HUMAN RIGHTS AND**
8 **THE ECONOMIC AND SOCIAL**
9 **COUNCIL**

10 **SEC. 201. HUMAN RIGHTS.**

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

18 (b) HUMAN RIGHTS REFORMS AT THE UNITED NA-
19 TIONS.—The President shall direct the United States Per-
20 manent Representative to the United Nations to seek to
21 ensure that the following human rights reforms have been
22 adopted by the United Nations:

23 (1) A Member State that fails to uphold the
24 values embodied in the Universal Declaration of



1 Human Rights shall be ineligible for membership on
2 any United Nations human rights body.

3 (2) A Member State that is subject to sanctions
4 by the Security Council or under a Security Council-
5 mandated investigation for human rights abuses
6 shall be ineligible for membership on any United Na-
7 tions human rights body.

8 (3) A Member State that is subject to a country
9 specific resolution relating to human rights abuses
10 perpetrated in that country by the government of
11 that country that has been adopted, within the pre-
12 ceding 3-year period, by a United Nations or re-
13 gional organization that has competence regarding
14 such matters shall be ineligible for membership on
15 any United Nations human rights body. For pur-
16 poses of this paragraph, a country specific resolution
17 shall not include consensus resolutions on advisory
18 services.

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

23 (5) No human rights body has a standing agen-
24 da item that only relates to one country or one re-
25 gion.



1 (c) CERTIFICATION.—In accordance with section
2 601, a certification shall be required that certifies that the
3 human rights reforms described under subsection (b) have
4 been adopted by the United Nations.

5 (d) PREVENTION OF ABUSE OF “NO ACTION” MO-
6 TIONS.—The United States Permanent Representative to
7 the United Nations shall work to prevent abuse of “no
8 action” motions, particularly as such motions relate to
9 country specific resolutions.

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

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

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



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

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

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

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

14 (3) ensure that after candidate countries are
15 nominated for membership on the Commission on
16 Human Rights, the Economic and Social Council
17 conducts a recorded vote to determine such member-
18 ship.

19 (b) CERTIFICATION.—In accordance with section
20 601, a certification shall be required that certifies that the
21 policies described in subsection (a) have been imple-
22 mented.

23 **SEC. 203. INTERNATIONAL RESPONSIBILITY TO PROTECT.**

24 (a) FINDINGS.—The situation in Darfur, Sudan, de-
25 clared to be genocide by the U.S. House of Representa-
26 tives in H.Con.Res. 467 (adopted on July 27, 2004), dem-



1 onstrates the need for an internationally agreed frame-
2 work for effective action to prevent genocide or other
3 crimes against humanity that threaten a large scale loss
4 of life.

5 (b) SENSE OF CONGRESS.—It is the sense of the
6 Congress that the United States and other members of
7 the international community should endorse the Secretary
8 General's initiative described in his report entitled "In
9 larger freedom: towards development, security and human
10 rights for all" to require that—

11 (1) the government of every country has the re-
12 sponsibility to protect its civilian population from
13 genocide, ethnic cleansing, or crimes against human-
14 ity; and

15 (2) in the case of a government that is unwill-
16 ing or unable to do carry out its responsibility under
17 paragraph (1) in the face of such gross violations of
18 internationally recognized human rights, members of
19 the international community must use diplomatic,
20 humanitarian, and other necessary means to help
21 protect civilian populations and save lives.

22 **TITLE III—INTERNATIONAL**
23 **ATOMIC ENERGY AGENCY**

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

25 (a) ENFORCEMENT AND COMPLIANCE.—



1 (1) OFFICE OF COMPLIANCE.—

2 (A) ESTABLISHMENT.—The President
3 shall direct the United States Permanent Rep-
4 resentative to International Atomic Energy
5 Agency (IAEA) to use the voice, vote, and influ-
6 ence of the United States at the IAEA to estab-
7 lish an Office of Compliance in the Secretariat
8 of the IAEA under the direction of the Deputy
9 Director General for Safeguards.

10 (B) OPERATION.—The Office of Compli-
11 ance shall—

12 (i) function as an independent body
13 composed of technical experts who shall
14 work in consultation with IAEA inspectors
15 to assess compliance by IAEA Member
16 States and provide recommendations to the
17 IAEA Board of Governors concerning pen-
18 alties to be imposed on IAEA Member
19 States that fail to fulfill their obligations
20 under IAEA Board resolutions;

21 (ii) base its assessments and rec-
22 ommendations on IAEA inspection reports;
23 and

24 (iii) take into consideration informa-
25 tion provided by IAEA Board Members



1 that are among the five nuclear weapons
2 states as recognized by the Treaty on the
3 Non-Proliferation of Nuclear Weapons (21
4 UST 483) (commonly referred to as the
5 “Nuclear Non-Proliferation Treaty” or the
6 “NPT”).

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

12 (D) OPERATION.—The Office of Compli-
13 ance shall operate in consultation with IAEA
14 inspectors and enforcement actions shall be
15 based on inspection reports, IAEA Board of
16 Governors resolutions, Director General reports,
17 and shall take into consideration information
18 provided by IAEA Board Members that are
19 among the five nuclear weapons states as recog-
20 nized by the Treaty on the Non-Proliferation of
21 Nuclear Weapons.

22 (2) SPECIAL COMMITTEE ON SAFEGUARDS AND
23 VERIFICATION.—

24 (A) ESTABLISHMENT.—The President
25 shall direct the United States Permanent Rep-



1 representative to the IAEA to use the voice, vote,
2 and influence of the United States at the IAEA
3 to establish a Special Committee on Safeguards
4 and Verification.

5 (B) RESPONSIBILITIES.—The Special
6 Committee shall—

7 (i) improve the ability of the IAEA to
8 monitor and enforce compliance by Mem-
9 ber States of the IAEA with the Nuclear
10 Non-Proliferation Treaty and the Statute
11 of the International Atomic Energy Agen-
12 cy; and

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

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

23 (A) IN GENERAL.—The President shall di-
24 rect the United States Permanent Representa-
25 tive to the IAEA to use the voice, vote, and in-



1 fluence of the United States at the IAEA to en-
2 sure that a Member State of the IAEA that is
3 under investigation for a breach of or non-
4 compliance with its IAEA obligations or the
5 purposes and principles of the Charter of the
6 United Nations has its IAEA privileges sus-
7 pended, including—

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

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

12 (iii) being prevented from hosting
13 meetings.

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

19 (4) PENALTIES WITH RESPECT TO THE NU-
20 CLEAR NONPROLIFERATION TREATY.—The Presi-
21 dent shall direct the United States Permanent Rep-
22 resentative to the IAEA to use the voice, vote, and
23 influence of the United States at the IAEA to en-
24 sure that a Member State of the IAEA that is found
25 to be in breach of, in noncompliance with, or has



1 withdrawn from the Nuclear Nonproliferation Treaty
2 shall return to the IAEA all nuclear materials and
3 technology received from the IAEA, any Member
4 State of the IAEA, or any Member State of the Nu-
5 clear Non__Proliferation Treaty.

6 (b) UNITED STATES CONTRIBUTIONS.—

7 (1) VOLUNTARY CONTRIBUTIONS.—Voluntary
8 contributions of the United States to the IAEA may
9 only be used to fund activities relating to Nuclear
10 Safety and Security or activities relating to Nuclear
11 Verification.

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

16 (A) ensure that funds for safeguards in-
17 spections are used giving first priority to ad-
18 dress countries that are initiating or developing
19 nuclear activities; and

20 (B) block the allocation of funds for any
21 other IAEA development, environmental, or nu-
22 clear science assistance or activity to a
23 country—

24 (i) the government of which the Sec-
25 retary of State has determined—



1 (I) for purposes of section 6(j) of
2 the Export Administration Act of
3 1979, section 620A of the Foreign As-
4 sistance Act of 1961, section 40 of the
5 Arms Export Control Act, or other
6 provision of law, is a government that
7 has repeatedly provided support for
8 acts of international terrorism; and

9 (II) has not dismantled and sur-
10 rendered its weapons of mass destruc-
11 tion under international verification;

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

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

19 (3) **DETAIL OF EXPENDITURES.**—The Presi-
20 dent shall direct the United States Permanent Rep-
21 resentative to the IAEA to use the voice, vote, and
22 influence of the United States at the IAEA to se-
23 cure, as part of the regular budget presentation of
24 the IAEA to Member States of the IAEA, a detailed
25 breakdown by country of expenditures of the IAEA



1 for safeguards inspections and nuclear security ac-
2 tivities.

3 (c) MEMBERSHIP.—

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

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

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

18 (2) CRITERIA.—The United States Permanent
19 Representative to the IAEA shall make every effort
20 to modify the criteria for Board membership to re-
21 flect the principles described in paragraph (1).

22 (d) NUCLEAR PROGRAM OF IRAN.—

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



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

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

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

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

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



1 assistance from any IAEA Member State, and shall be
2 ineligible to receive any IAEA assistance not related
3 to safeguards inspections or nuclear security until
4 such time as the IAEA Board of Governors makes
5 such determination with respect to Iran.

6 (e) REPORT.—Not later than six months after the
7 date of the enactment of this Act and annually thereafter
8 for the succeeding 2-year period, the President shall sub-
9 mit to the appropriate congressional committees a report
10 on the implementation of this section.

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

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

20 **TITLE IV—PEACEKEEPING**

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

24 It is the sense of Congress that—



1 (1) although United Nations peacekeeping oper-
2 ations have contributed greatly toward the pro-
3 motion of peace and stability for the past 57 years,
4 and the majority of peacekeeping personnel who
5 have served under the United Nations flag have
6 done so with honor and courage, the record of
7 United Nations peacekeeping has been severely tar-
8 nished by operational failures and unconscionable
9 acts of misconduct; and

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

16 **SEC. 402. STATEMENT OF POLICY RELATING TO REFORM**
17 **OF UNITED NATIONS PEACEKEEPING OPER-**
18 **ATIONS.**

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

22 (1) **PLANNING AND MANAGEMENT.—**

23 (A) **GLOBAL AUDIT.—**As the size, cost,
24 and number of United Nations peacekeeping
25 operations have increased substantially over the



1 past decade, an independent audit of each such
2 operation, with a view toward “right-sizing” op-
3 erations and ensuring that such operations are
4 cost effective, should be conducted and its find-
5 ings reported to the Security Council.

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

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

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

23 (iii) If there is legitimate concern that
24 the withdrawal from a country of an other-
25 wise static United Nations peacekeeping



1 operation would result in the resumption of
2 major conflict, a burden-sharing arrange-
3 ment that reduces the level of assessed
4 contributions, similar to that currently
5 supporting the United Nations Peace-
6 keeping Force in Cyprus, should be ex-
7 plored and instituted.

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

16 (D) PRE-DEPLOYMENT TRAINING.—Pre-
17 deployment training on interpretation of the
18 mandate of the operation, specifically in the
19 areas of force, civilian protection, field condi-
20 tions, the Code of Conduct described in para-
21 graph (2)(A), HIV/AIDS, gender, and human
22 rights issues should be mandatory, and all per-
23 sonnel, regardless of category or rank, should
24 be required to sign an oath that each has re-



1 ceived and understands such training as a con-
2 dition of participation in the operation.

3 (2) CONDUCT AND DISCIPLINE.—

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

11 (B) UNDERSTANDING THE CODE OF CON-
12 DUCT.—All personnel, regardless of category or
13 rank, should receive training on the Code of
14 Conduct prior to deployment with a peace-
15 keeping operation, in addition to periodic fol-
16 low-on training. In particular—

17 (i) all personnel, regardless of cat-
18 egory or rank, should be provided with a
19 personal copy of the Code of Conduct that
20 has been translated into the national lan-
21 guage of such personnel, regardless of
22 whether such language is an official lan-
23 guage of the United Nations;

24 (ii) all personnel, regardless of cat-
25 egory or rank, should sign an oath that



1 each has received a copy of the Code of
2 Conduct, that each pledges to abide by the
3 Code of Conduct, and that each under-
4 stands the consequences of violating the
5 Code of Conduct as a condition of appoint-
6 ment to such operation, including imme-
7 diate termination of the participation of
8 such personnel in the peacekeeping oper-
9 ation to which such personnel is assigned;
10 and

11 (iii) peacekeeping operations should
12 conduct educational outreach programs
13 within communities hosting such oper-
14 ations, including explaining prohibited acts
15 on the part of United Nations peace-
16 keeping personnel and identifying the indi-
17 vidual to whom the local population may
18 direct complaints or file allegations of ex-
19 ploitation, abuse, or other acts of mis-
20 conduct.

21 (C) MONITORING MECHANISMS.—Dedi-
22 cated monitoring mechanisms, such as the per-
23 sonnel conduct units deployed to support
24 United Nations peacekeeping operations in
25 Haiti, Liberia, Burundi, and the Democratic



1 Republic of Congo, should be present in each
2 operation to monitor compliance with the Code
3 of Conduct, and—

4 (i) should report simultaneously to the
5 Head of Mission, the United Nations De-
6 partment of Peacekeeping Operations, and
7 the Associate Director of OIOS for Peace-
8 keeping Operations (established under sec-
9 tion 104(b)(9)); and

10 (ii) should be tasked with designing
11 and implementing mission-specific meas-
12 ures to prevent misconduct, conduct follow-
13 on training for personnel, coordinate com-
14 munity outreach programs, and assist in
15 investigations, as OIOS determines nec-
16 essary and appropriate.

17 (D) INVESTIGATIONS.—A permanent, pro-
18 fessional, and independent investigative body
19 should be established and introduced into
20 United Nations peacekeeping operations. In
21 particular—

22 (i) the investigative body should in-
23 clude professionals with experience in in-
24 vestigating sex crimes, as well as experts
25 who can provide guidance on standards of



1 proof and evidentiary requirements nec-
2 essary for any subsequent legal action;
3 (ii) provisions should be included in a
4 Model Memorandum of Understanding
5 that obligate each Member State that con-
6 tributes troops to a peacekeeping operation
7 to designate a military prosecutor who will
8 participate in any investigation into an al-
9 legation of misconduct brought against an
10 individual of that Member State, so that
11 evidence is collected and preserved in a
12 manner consistent with the military law of
13 that Member State;
14 (iii) the investigative body should be
15 regionally based to ensure rapid deploy-
16 ment and should be equipped with modern
17 forensics equipment for the purpose of
18 positively identifying perpetrators and,
19 where necessary, for determining paternity;
20 and
21 (iv) the investigative body should re-
22 port directly to the Associate Director of
23 OIOS for Peacekeeping Operations, while
24 providing copies of any reports to the De-
25 partment of Peacekeeping Operations, the



1 Head of Mission, and the Member State
2 concerned.

3 (E) FOLLOW-UP.—A dedicated unit, simi-
4 lar to the personnel conduct units, staffed and
5 funded through existing resources, should be es-
6 tablished within the headquarters of the United
7 Nations Department of Peacekeeping Oper-
8 ations and tasked with—

9 (i) promulgating measures to prevent
10 misconduct;

11 (ii) coordinating allegations of mis-
12 conduct, and reports received by field per-
13 sonnel; and

14 (iii) gathering follow-up information
15 on completed investigations, particularly by
16 focusing on disciplinary actions against the
17 individual concerned taken by the United
18 Nations or by the Member State that is
19 contributing troops to which the individual
20 belongs, and sharing that information with
21 the Security Council, the Head of Mission,
22 and the community hosting the peace-
23 keeping operation.

24 (F) FINANCIAL LIABILITY AND VICTIMS
25 ASSISTANCE.—Although peacekeeping oper-



1 ations should provide immediate medical assist-
2 ance to victims of sexual abuse or exploitation,
3 the responsibility for providing longer-term
4 treatment, care, or restitution lies solely with
5 the individual found guilty of the misconduct.
6 In particular, the following reforms should be
7 implemented:

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

17 (ii) If an individual responsible for
18 misconduct has been repatriated, reas-
19 signed, redeployed, or is otherwise unable
20 to provide assistance, responsibility for
21 providing assistance to a victim should be
22 assigned to the Member State that contrib-
23 uted the troops to which the individual be-
24 longed or to the manager concerned.



1 (iii) In the case of misconduct by a
2 member of a military contingent, appro-
3 priate funds should be withheld from the
4 troop-contributing country concerned.

5 (iv) In the case of misconduct by a ci-
6 vilian employee or contractor of the United
7 Nations, appropriate wages should be gar-
8 nished from such individual or fines should
9 be imposed against such individual, con-
10 sistent with existing United Nations Staff
11 Rules.

12 (G) MANAGERS AND COMMANDERS.—The
13 manner in which managers and commanders
14 handle cases of misconduct by those serving
15 under them should be included in their indi-
16 vidual performance evaluations, so that man-
17 agers and commanders who take decisive action
18 to deter and address misconduct are rewarded,
19 while those who create a permissive environ-
20 ment or impede investigations are penalized or
21 relieved of duty, as appropriate.

22 (H) DATA BASE.—A centralized data base
23 should be created and maintained within the
24 United Nations Department of Peacekeeping
25 Operations to track cases of misconduct, includ-



1 ing the outcome of investigations and subse-
2 quent prosecutions, to ensure that personnel
3 who have engaged in misconduct or other crimi-
4 nal activities, regardless of category or rank,
5 are permanently barred from participation in
6 future peacekeeping operations.

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

15 (3) PEACEBUILDING COMMISSION.—

16 (A) ESTABLISHMENT.—Consistent with
17 the recommendations of the Report of the Sec-
18 retary General's High Level Panel on Threats,
19 Challenges, and Change, the United Nations
20 should establish a Peacebuilding Commission,
21 supported by a Peacebuilding Support Office, to
22 marshal the efforts of the United Nations,
23 international financial institutions, donors, and
24 non-governmental organizations to assist coun-
25 tries in transition from war to peace.



1 (B) STRUCTURE AND MEMBERSHIP.—The
2 Commission should—

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

6 (ii) include members of the United
7 Nations Security Council, major donors,
8 and Member States that contribute troops,
9 appropriate United Nations organizations,
10 the World Bank, and the International
11 Monetary Fund; and

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

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

24 (i) developing and integrating coun-
25 try-specific and system-wide conflict pre-



1 vention, post-conflict reconstruction, and
2 long-term development policies and strate-
3 gies; and

4 (ii) serving as the key coordinating
5 body for the design and implementation of
6 military, humanitarian, and civil adminis-
7 tration aspects of complex missions.

8 (D) RESOURCES.—The establishment of
9 the Peacebuilding Commission and the related
10 Peacebuilding Support Office should be staffed
11 with existing resources.

12 **SEC. 403. CERTIFICATION.**

13 (a) NEW OR EXPANDED PEACEKEEPING OPER-
14 ATIONS CONTINGENT UPON PRESIDENTIAL CERTIFI-
15 CATION OF PEACEKEEPING OPERATIONS REFORMS.—

16 (1) NO NEW OR EXPANDED PEACEKEEPING OP-
17 ERATIONS.—Beginning on January 1, 2007, and
18 until the Secretary certifies that the requirements
19 described in paragraph (2) have been satisfied, the
20 President shall direct the United States Permanent
21 Representative to the United Nations use the voice,
22 vote, and influence of the United States at the
23 United Nations to oppose the creation of new, or ex-
24 pansion of existing, United Nations peacekeeping op-
25 erations unless the Secretary certifies to the appro-



1 appropriate congressional committees that such creation
2 or expansion is in the national interest of the United
3 States, and includes with the certification a written
4 justification therefor.

5 (2) CERTIFICATION OF PEACEKEEPING OPER-
6 ATIONS REFORMS.—The certification referred to in
7 paragraph (1) is a certification made by the Sec-
8 retary to the appropriate congressional committees
9 that the following reforms, or an equivalent set of
10 reforms, related to peacekeeping operations have
11 been adopted by the United Nations Department of
12 Peacekeeping Operations or the General Assembly,
13 as appropriate:

14 (A) A single, uniform Code of Conduct
15 that has the status of a binding rule and ap-
16 plies equally to all personnel serving in United
17 Nations peacekeeping operations, regardless of
18 category or rank, has been adopted by the Gen-
19 eral Assembly and mechanisms have been estab-
20 lished for training such personnel concerning
21 the requirements of the Code and enforcement
22 of the Code.

23 (B) All personnel, regardless of category or
24 rank, serving in a peacekeeping operation have
25 been trained concerning the requirements of the



1 Code of Conduct and each has been given a per-
2 sonal copy of the Code, translated into the na-
3 tional language of such personnel.

4 (C) All personnel, regardless of category or
5 rank, are required to sign an oath that each has
6 received a copy of the Code of Conduct, that
7 each pledges to abide by the Code, and that
8 each understands the consequences of violating
9 the Code as a condition of the appointment to
10 such operation, including the immediate termi-
11 nation of the participation of such personnel in
12 the peacekeeping operation to which such per-
13 sonnel is assigned.

14 (D) All peacekeeping operations have de-
15 signed and implemented educational outreach
16 programs that reach local communities where
17 peacekeeping personnel of such operations are
18 based for a significant period of time, explain-
19 ing prohibited acts on the part of United Na-
20 tions peacekeeping personnel and identifying
21 the individual to whom the local population may
22 direct complaints or file allegations of exploi-
23 tation, abuse, or other acts of misconduct.

24 (E) A centralized data base has been cre-
25 ated and is being maintained in the United Na-



1 tions Department of Peacekeeping Operations
2 that tracks cases of misconduct, including the
3 outcomes of investigations and subsequent pros-
4 ecutions, to ensure that personnel, regardless of
5 category or rank, who have engaged in mis-
6 conduct or other criminal activities are perma-
7 nently barred from participation in future
8 peacekeeping operations.

9 (F) A Model Memorandum of Under-
10 standing between the United Nations and each
11 Member State that contributes troops to a
12 peacekeeping operation has been adopted by the
13 United Nations Department of Peacekeeping
14 Operations that specifically obligates each such
15 Member State to—

16 (i) designate a competent legal au-
17 thority, preferably a prosecutor with exper-
18 tise in the area of sexual exploitation and
19 abuse, to participate in any investigation
20 into an allegation of misconduct brought
21 against an individual of the Member State;

22 (ii) refer to its competent national or
23 military authority for possible prosecution,
24 if warranted, any investigation of a viola-
25 tion of the Code of Conduct or other crimi-



1 nal activity by an individual of the Member
2 State;

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

6 (iv) undertake to conduct on-site court
7 martial proceedings relating to allegations
8 of misconduct alleged against an individual
9 of the Member State;

10 (v) assume responsibility for the pro-
11 vision of appropriate assistance to a victim
12 of misconduct committed by an individual
13 of the Member State; and

14 (vi) establish a professional and inde-
15 pendent investigative and audit function
16 within the United Nations Department of
17 Peacekeeping Operations and the OIOS to
18 monitor United Nations peacekeeping oper-
19 ations.

20 **SEC. 404. UNITED STATES CONTRIBUTIONS TO UNITED NA-**
21 **TIONS PEACEKEEPING OPERATIONS.**

22 (a) 25 PERCENT LIMITATION.—Section 404(b)(2) of
23 the Foreign Relations Authorization Act, Fiscal Years
24 1994 and 1995 (22 U.S.C. 287e note; Public Law 103-
25 236) is amended to read as follows:



1 “(2) FISCAL YEAR 2006 AND SUBSEQUENT FIS-
2 CAL YEARS.—Funds authorized to be appropriated
3 for ‘Contributions for International Peacekeeping
4 Activities’ for fiscal years 2006 and 2007 shall not
5 be available for the payment of the United States
6 assessed contribution for a United Nations peace-
7 keeping operation in an amount which is greater
8 than 27.1 percent of the total of all assessed con-
9 tributions for that operation.”.

10 (b) EFFECTIVE DATE.—The amendment made by
11 subsection (a) shall take effect and apply beginning on Oc-
12 tober 1, 2005.

13 **SEC. 405. GENOCIDE AND THE UNITED NATIONS.**

14 (a) UNITED STATES ACTIONS.—The President shall
15 direct the United States Permanent Representative to the
16 United Nations to use the voice, vote, and influence of the
17 United States at the United Nations to make every effort
18 to ensure the formal adoption and implementation of
19 mechanisms to—

20 (1) suspend the membership of a Member State
21 in the United Nations if genocide, ethnic cleansing,
22 or crimes against humanity are determined to be oc-
23 curring in such Member State, regardless of whether
24 such acts are being committed by the government of
25 such Member State or by a third party;



1 Armed Forces to a foreign country or international tri-
2 bunal for prosecutions arising from peacekeeping oper-
3 ations or other similar United Nations related activity.

4 **TITLE V—DEPARTMENT OF**
5 **STATE AND GOVERNMENT AC-**
6 **COUNTABILITY OFFICE**

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

9 The Secretary of State shall make every effort to re-
10 cruit United States citizens for positions within inter-
11 national organizations.

12 **SEC. 502. BUDGET JUSTIFICATION FOR REGULAR AS-**
13 **SESSED BUDGET OF THE UNITED NATIONS.**

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

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

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



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

5 (c) **ADJUSTMENTS AND NOTIFICATION.**—If the
6 United Nations proposes an adjustment to its regular as-
7 sessed budget, the Secretary of State shall, at the time
8 such adjustment is presented to the Advisory Committee
9 on Administrative and Budgetary Questions of the United
10 Nations (ACABQ), notify and consult with the appro-
11 priate congressional committees.

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

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

18 (1) the findings of such review; and

19 (2) recommendations relating to—

20 (A) the continuation of such programs;

21 and

22 (B) which of such programs should be vol-
23 untarily funded.



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

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

10 (b) REPORT ON DEPARTMENT OF STATE CERTIFI-
11 CATIONS.—Not later than six months after each certifi-
12 cation is submitted by the Secretary of State to the appro-
13 priate congressional committees under this Act, the Comp-
14 troller General shall submit to the appropriate congres-
15 sional committees a report on each such certification. The
16 Secretary shall provide the Comptroller General with any
17 information required by the Comptroller General to sub-
18 mit any such report.

19 **TITLE VI—CERTIFICATIONS AND**
20 **WITHHOLDING OF CONTRIBU-**
21 **TIONS**

22 **SEC. 601. CERTIFICATIONS AND WITHHOLDING OF CON-**
23 **TRIBUTIONS.**

24 (a) IN GENERAL.—The certifications required under
25 sections 103, 104(a) through 104(d), 110, 201(c), 201(e),
26 and 202 of this Act are certifications submitted to the ap-



1 appropriate congressional committees by the Secretary of
2 State that the requirements of each such section have been
3 satisfied with respect to reform of the United Nations.

4 (b) ALTERNATIVE CERTIFICATION MECHANISM.—

5 (1) IN GENERAL.—In the event that the Sec-
6 retary is unable to make any certification described
7 in subsection (a), the Secretary may nonetheless sat-
8 isfy the requirements referred to in such certification
9 by certifying that—

10 (A) the United Nations has implemented
11 reforms that are either substantially similar to
12 or accomplish the same purposes as the require-
13 ments referred to in any such certification; or

14 (B) in the case of the policies described in
15 subsections (a) and (c) of section 11 the United
16 Nations Participation Act of 1945 (as amended
17 by section 101 of this Act) or the requirements
18 of sections 201(c) and 202(b) of this Act, sub-
19 stantial progress has been made in imple-
20 menting such policies or requirements.

21 (2) DEFINITIONS.—For the purposes of this
22 subsection, reforms are “substantially similar to or
23 accomplish the same purposes as” if the reforms
24 are—



1 (A) formally adopted by the organ or com-
2 mittee of the United Nations that has authority
3 to take such action or are issued by the Secre-
4 tariat or the appropriate entity or committee in
5 written form; and

6 (B) are not identical to the measures re-
7 quired by a particular certification but in the
8 judgment of the Secretary will have the same or
9 nearly the same effect as such measures.

10 (3) WRITTEN JUSTIFICATION AND CONSULTA-
11 TION.—

12 (A) WRITTEN JUSTIFICATION.—Not later
13 than 30 days before submitting an alternate
14 certification in accordance with paragraph (1),
15 the Secretary shall submit to the appropriate
16 congressional committees a written justification
17 explaining in detail the basis for such alternate
18 certification.

19 (B) CONSULTATION.—After the Secretary
20 has submitted the written justification under
21 subparagraph (A), but not later than 15 days
22 before the Secretary exercises the alternate cer-
23 tification mechanism described in clause (i), the
24 Secretary shall consult with the appropriate



1 congressional committees regarding such exer-
2 cise.

3 (c) WITHHOLDING OF UNITED STATES CONTRIBU-
4 TIONS TO REGULAR ASSESSED BUDGET OF THE UNITED
5 NATIONS.—If the Secretary is unable to make one or more
6 of the certifications described in subsection (a) or (b), the
7 Secretary is authorized to withhold from expenditure until
8 such time as the Secretary deems appropriate up to 50
9 percent of the contribution of the United States to the
10 regular assessed budget of the United Nations for a bien-
11 nial period, beginning with funds appropriated for the
12 United States Assessed contribution for fiscal year 2008.

13 (d) CONSULTATION ON PROGRESS OF REFORMS.—
14 Beginning six months after the date of the enactment of
15 this Act, and every three months thereafter until all the
16 certifications under subsection (a) and (b) are made, the
17 Secretary shall consult with the appropriate congressional
18 committees regarding the progress in adoption and imple-
19 mentation of the reforms described in this Act.

20 (e) DURATION OF FUNDS.—

21 (1) ASSESSED CONTRIBUTIONS TO THE U.N.—
22 Any amounts of funds appropriated for the United
23 States assessed contribution to the United Nations
24 that are withheld under subsection (c) are author-
25 ized to remain available until expended in fiscal



1 years after the fiscal year in which all certifications
2 are made under subsections (a) and (b).

3 (2) ASSESSED CONTRIBUTIONS TO SPECIALIZED
4 AGENCIES.—Any amounts of funds appropriated for
5 the United States assessed contribution to a special-
6 ized agency that are withheld under section 107(d)
7 are authorized to remain available until expended in
8 fiscal years after the fiscal year in which the Sec-
9 retary makes the certification with respect to the
10 policy or policies described in section 107 by reason
11 of which the funds were withheld.

12 (f) BIENNIAL REVIEWS.—

13 (1) IN GENERAL.—The Secretary shall conduct
14 biennial reviews, beginning two years after the date
15 on which the Secretary submits the last of the cer-
16 tifications under subsections (a) and (b), to deter-
17 mine if the United Nations continues to remain in
18 compliance with all such certifications. Not later
19 than 30 days after the completion of each such re-
20 view, the Secretary shall submit to the appropriate
21 congressional committees a report containing the
22 findings of each such review.

23 (2) ACTION.—If during the course of any such
24 review the Secretary determines that the United Na-
25 tions has failed to remain in compliance with a cer-



1 tification that was submitted in accordance with
2 subsection (a), the Secretary is authorized to exer-
3 cise the authority described in subsection (c) with
4 respect to the biennial period immediately following
5 such review and subsequent biennial periods until
6 such time as all certifications under subsection (a)
7 or (b) have been submitted.

8 **SEC. 602. DIPLOMATIC CAMPAIGN TO ACHIEVE REFORM.**

9 (a) SENSE OF CONGRESS.—It is the sense of the Con-
10 gress that in order to achieve the reforms required by this
11 Act, the President must undertake an extensive diplomatic
12 campaign, in combination with like-minded countries at
13 the United Nations to achieve those reforms, including
14 acting through the United States Permanent Representa-
15 tive to the United Nations to use its voice, vote and influ-
16 ence at the United Nations and direct diplomatic interven-
17 tion at the highest levels of government in Member States.

18 (b) REPORT TO CONGRESS.—Sixty days before exer-
19 cising the authority to withhold funds under section
20 601(c), the Secretary shall consult with the appropriate
21 congressional committees and submit a report on how the
22 exercise of such authority will further the purposes of this
23 Act.

24 (c) CONTENT OF REPORT.—The report required by
25 subsection (b) shall include—



1 (1) a description of efforts by the United States
2 to achieve the reforms required by this Act to date;

3 (2) an analysis of why reforms sought by the
4 United States have not been achieved; and

5 (3) an explanation of how United States policy
6 will be furthered by conditioning or withholding
7 funds for assessed contributions to the United Na-
8 tions, as well as an analysis of how withholding such
9 funds are expected to affect programs, operations,
10 staff, and reforms of the United Nations and United
11 States interests.

12 **TITLE VII—UNITED NATIONS RE-**
13 **NEWAL AND TOOLS TO FULLY**
14 **IMPLEMENT UNITED NA-**
15 **TIONS REFORM**

16 **SEC. 701. SYNCHRONIZATION OF U.S. ASSESSED CONTRIBU-**
17 **TIONS TO INTERNATIONAL ORGANIZATIONS.**

18 (a) **FINDINGS.**—Congress makes the following find-
19 ings:

20 (1) In the early 1980s, the United States Gov-
21 ernment began to pay United States assessments to
22 certain international organizations in the last quar-
23 ter of the calendar year in which they were due.
24 This practice allowed the United States to pay its
25 annual assessment to the United Nations and other



1 international organizations with the next fiscal
2 year's appropriations, taking advantage of the fact
3 that international organizations operate on calendar
4 years. It also allowed the United States to reduce
5 budgetary outlays, making the United States budget
6 deficit appear smaller.

7 (2) The United States, which is assessed 22
8 percent of the United Nations regular budget, now
9 pays its dues at least 10 months late, and often later
10 depending on when the relevant appropriation is en-
11 acted.

12 (3) This practice causes the United Nations to
13 operate throughout much of the year without a sig-
14 nificant portion of its operating budget. By midyear,
15 the budget is usually depleted, forcing the United
16 Nations to borrow from its peacekeeping budget,
17 since the organization is prohibited from borrowing
18 externally. As a result, countries that contribute to
19 United Nations peacekeeping missions are not reim-
20 bursed on a timely basis.

21 (4) For years, continuing this practice is incon-
22 sistent with the purposes of this Act to encourage
23 the United Nations to engage in sound, fiscally re-
24 sponsible budgetary practices.



1 (b) AUTHORIZATION OF APPROPRIATIONS.—Begin-
2 ning in the fiscal year in which all certifications under sub-
3 section (a) and (b) of section 601 have been made, the
4 following amounts are authorized to be appropriated to a
5 process to synchronize the payment of its assessments to
6 the United Nations and other international organizations
7 over a multiyear period so that the United States can re-
8 sume paying its dues to such international organizations
9 at the beginning of each calendar year:

10 (1) For the fiscal year after all such certifi-
11 cations have been made, \$150,000,000.

12 (2) For the second year after all such certifi-
13 cations have been made, \$150,000,000.,

14 (3) For the third year after all such certifi-
15 cations have been made, \$150,000,000.

16 **SEC. 702. INCREASED FUNDING FOR UNITED STATES AS-**
17 **SESSED CONTRIBUTION TO THE UNITED NA-**
18 **TIONS TO SUPPORT REFORM EFFORTS.**

19 It is the sense of the Congress that the United States
20 should support an increase in the 2006–2007 United Na-
21 tions biennium budget and future United Nations budgets
22 to support the creation of new offices or institutions and
23 the strengthening of existing offices in order to fully im-
24 plement the reforms required by this Act.



1 **SEC. 703. BUYOUT OF UNITED NATIONS PERSONNEL.**

2 It is the sense of the Congress that the United States
3 should support an increase in the appropriate United Na-
4 tions biennium budget to fund a buyout of United Nations
5 personnel to the extent that the buyout is a targeted
6 buyout of personnel that do not have the skills necessary
7 for the United Nations in the 21st century.

8 **SEC. 704. UNITED NATIONS DEMOCRACY FUND.**

9 There is authorized for fiscal year 2006 for a vol-
10 untary contribution to the United Nations International
11 Democracy Fund \$10,000,000.

12 **SEC. 705. UNITED STATES PERSONNEL TO INTERNATIONAL**
13 **ORGANIZATIONS.**

14 The President is authorized to detail any United
15 States Government officer or employee to the United Na-
16 tions on a nonreimbursable basis for up to three years to
17 assist in the implementation of the reforms described in
18 this Act, including providing for any necessary housing,
19 education, cost-of-living allowances, or other allowances
20 authorized under the Foreign Service Act the United Na-
21 tions Participation Act of 1945.

