

113TH CONGRESS
1ST SESSION

S. 1313

To promote transparency, accountability, and reform within the United Nations system, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 17, 2013

Mr. RUBIO introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To promote transparency, accountability, and reform within the United Nations system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “United Nations Transparency, Accountability, and Re-
6 form Act of 2013”.

7 (b) TABLE OF CONTENTS.—The table of contents is
8 as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—UNITED STATES POLICY AT THE UNITED NATIONS

- Sec. 101. United States contributions to the United Nations system.
- Sec. 102. Budget justification for United States contributions to the regular budget of the United Nations.
- Sec. 103. Annual publication.
- Sec. 104. Annual financial disclosure.
- Sec. 105. Policy with respect to expansion of the United Nations Security Council.
- Sec. 106. Access to reports and audits.
- Sec. 107. Waiver of immunity.
- Sec. 108. Terrorism and the United Nations.
- Sec. 109. United Nations treaty bodies.
- Sec. 110. Anti-semitism and the United Nations.
- Sec. 111. United States policy on tier 3 human rights violators.

TITLE II—TRANSPARENCY AND ACCOUNTABILITY FOR UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS

- Sec. 201. Definitions.
- Sec. 202. Establishment and management of the Office of the United States Inspector General for Contributions to the United Nations System.
- Sec. 203. Transparency for United States contributions.
- Sec. 204. Authorization of appropriations.

TITLE III—STATUS OF PALESTINIAN ENTITIES AT THE UNITED NATIONS

- Sec. 301. Statement of policy.
- Sec. 302. Implementation.

TITLE IV—UNITED NATIONS HUMAN RIGHTS COUNCIL

- Sec. 401. United Nations Human Rights Council.

TITLE V—GOLDSTONE REPORT

- Sec. 501. Goldstone Report.

TITLE VI—DURBAN PROCESS

- Sec. 601. Non-participation in the Durban process.
- Sec. 602. Withholding of funds; refund of United States taxpayer dollars.

TITLE VII—UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE MIDDLE EAST

- Sec. 701. United States contributions to UNRWA.
- Sec. 702. Sense of Congress.

TITLE VIII—INTERNATIONAL ATOMIC ENERGY AGENCY

- Sec. 801. Technical Cooperation Program.
- Sec. 802. United States policy at the IAEA.
- Sec. 803. Sense of Congress regarding the Nuclear Security Action Plan of the IAEA.

TITLE IX—PEACEKEEPING

- Sec. 901. Policy relating to reform of United Nations peacekeeping operations.

Sec. 902. Certification.

TITLE X—REPORTING REQUIREMENTS

Sec. 1001. Report on United Nations reform.

Sec. 1002. Report on United States contributions to the United Nations.

Sec. 1003. Report to Congress on voting practices in the United Nations.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

6 (A) the Committees on Foreign Relations,
 7 Appropriations, and Homeland Security and
 8 Governmental Affairs of the Senate; and

9 (B) the Committees on Foreign Affairs,
 10 Appropriations, and Oversight and Government
 11 Reform of the House of Representatives.

12 (2) **EMPLOYEE.**—The term “employee” means
 13 an individual who is employed in the general serv-
 14 ices, professional staff, or senior management of the
 15 United Nations, including consultants, contractors,
 16 and subcontractors.

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

20 (4) **MEMBER STATE.**—The term “Member
 21 State” means a Member State of the United Na-

1 tions. Such term is synonymous with the term
2 “country”.

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

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

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

11 (8) UN.—The term “UN” means the United
12 Nations.

13 (9) UNITED NATIONS ENTITY.—The term
14 “United Nations entity” means any United Nations
15 agency, commission, conference, council, court, de-
16 partment, forum, fund, institute, office, organiza-
17 tion, partnership, program, subsidiary body, tri-
18 bunal, trust, university or academic body, related or-
19 ganization or subsidiary body, wherever located, that
20 flies the United Nations flag or is authorized to use
21 the United Nations logo, including but not limited to
22 those United Nations affiliated agencies and bodies
23 identified as recipients of United States contribu-
24 tions under section 1225(b)(3)(E) of the John War-

1 ner National Defense Authorization Act for Fiscal
 2 Year 2007 (Public Law 109–364; 120 Stat. 2424).

3 (10) UNITED NATIONS SYSTEM.—The term
 4 “United Nations system” means the aggregation of
 5 all United Nations entities, as defined in paragraph
 6 (9).

7 (11) UNITED STATES CONTRIBUTION.—The
 8 term “United States contribution” means an as-
 9 sessed or voluntary contribution, whether financial,
 10 in-kind, or otherwise, from the United States Fed-
 11 eral Government to a United Nations entity, includ-
 12 ing contributions passed through other entities for
 13 ultimate use by a United Nations entity. United
 14 States contributions include those contributions
 15 identified pursuant to section 1225(b)(3)(E) of the
 16 John Warner National Defense Authorization Act
 17 for Fiscal Year 2007 (Public Law 109–364; 120
 18 Stat. 2424).

19 **TITLE I—UNITED STATES POL-** 20 **ICY AT THE UNITED NATIONS**

21 **SEC. 101. UNITED STATES CONTRIBUTIONS TO THE UNITED** 22 **NATIONS SYSTEM.**

23 (a) STATEMENT OF POLICY.—It shall be the policy
 24 of the United States—

1 (1) to pursue the goal of zero nominal growth
2 of the regular budget of the United Nations above
3 the 2012–2013 regular budget;

4 (2) to maintain the 22-percent cap on assessed
5 contributions to the United Nations regular budget,
6 and to establish similar maximum assessments for
7 other United Nations entities;

8 (3) to establish a 25-percent cap on United
9 States contributions to the United Nations Peace-
10 keeping Operations budget; and

11 (4) to shift funding for the regular budget of
12 the United Nations from assessed to voluntary con-
13 tributions.

14 (b) REQUIREMENT TO SEEK CHANGE.—The Presi-
15 dent shall direct the United States Permanent Represent-
16 ative to the United Nations to use the voice, vote, and
17 influence of the United States at the United Nations to
18 shift the funding mechanism for the regular budget of the
19 United Nations to a voluntary basis, and to make it a pri-
20 ority to build support for such a transformational change
21 among Member States, particularly key United Nations
22 donors.

1 **SEC. 102. BUDGET JUSTIFICATION FOR UNITED STATES**
2 **CONTRIBUTIONS TO THE REGULAR BUDGET**
3 **OF THE UNITED NATIONS.**

4 (a) DETAILED ITEMIZATION.—The President shall
5 include in the budget justification documents submitted
6 to Congress pursuant to section 1105(a) of title 31,
7 United States Code, a detailed itemized request in support
8 of the contribution of the United States to the regular
9 budget of the United Nations.

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

12 (1) contain information relating to the amounts
13 requested in support of each of the various sections
14 and programs of the regular budget of the United
15 Nations; and

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

20 (c) ADJUSTMENTS AND NOTIFICATION.—If the
21 United Nations proposes an adjustment to its regular as-
22 sessed budget, the Secretary shall, at the time such adjust-
23 ment is presented to the Advisory Committee on Adminis-
24 trative and Budgetary Questions (ACABQ), notify and
25 consult with the appropriate congressional committees.

1 **SEC. 103. ANNUAL PUBLICATION.**

2 The President shall direct the United States Perma-
3 nent Representative to the United Nations to use the
4 voice, vote, and influence of the United States at the
5 United Nations to ensure the United Nations publishes
6 annually, including on a publicly searchable internet
7 website, a list of all United Nations subsidiary bodies and
8 their functions, budgets, staff, and contributions, both vol-
9 untary and assessed, sorted by donor.

10 **SEC. 104. ANNUAL FINANCIAL DISCLOSURE.**

11 The President shall direct the United States Perma-
12 nent Representative to the United Nations to use the
13 voice, vote, and influence of the United States at the
14 United Nations to adopt and implement a system wide re-
15 quirement at the United Nations for the filing of indi-
16 vidual annual financial disclosure forms by each employee
17 of the United Nations and its specialized agencies, pro-
18 grams, and funds at the D–1 level and above, which shall
19 be made available to the Office of Internal Oversight Serv-
20 ices, to Member States, and to the public at a similar level
21 of detail as that required of United States Government
22 officials under title I of the Ethics in Government Act of
23 1978 (5 U.S.C. App. 4 101 et seq.).

1 **SEC. 105. POLICY WITH RESPECT TO EXPANSION OF THE**
2 **UNITED NATIONS SECURITY COUNCIL.**

3 It is the policy of the United States to use the voice,
4 vote, and influence of the United States at the United Na-
5 tions to oppose any proposals on expansion of the Security
6 Council if such expansion would—

7 (1) diminish the influence of the United States
8 on the Security Council;

9 (2) include new members without a record and
10 ongoing commitment to fully share the responsibil-
11 ities and burdens as full members of the United Na-
12 tions, including financial support for the regular
13 budget and peacekeeping operations of the United
14 Nations;

15 (3) include new members that are unable or un-
16 willing to fully enforce United Nations Security
17 Council judgments and sanctions; or

18 (4) include veto rights for any new members of
19 the Security Council.

20 **SEC. 106. ACCESS TO REPORTS AND AUDITS.**

21 The President shall direct the United States Perma-
22 nent Representative to the United Nations to use the
23 voice, vote, and influence of the United States at the
24 United Nations to ensure that Member States may, upon
25 request, have access to all reports and audits completed
26 by the Board of External Auditors.

1 **SEC. 107. WAIVER OF IMMUNITY.**

2 The President shall direct the United States Perma-
3 nent Representative to the United Nations to use the
4 voice, vote, and influence of the United States at the
5 United Nations to ensure that the Secretary-General exer-
6 cises the right and duty of the Secretary-General under
7 section 20 of the Convention on the Privileges and Immu-
8 nities of the United Nations to waive the immunity of any
9 United Nations official in any case in which such immu-
10 nity would impede the course of justice. In exercising such
11 waiver, the Secretary-General is urged to interpret the in-
12 terests of the United Nations as favoring the investigation
13 or prosecution of a United Nations official who is credibly
14 under investigation for having committed a serious crimi-
15 nal offense or who is credibly charged with a serious crimi-
16 nal offense.

17 **SEC. 108. TERRORISM AND THE UNITED NATIONS.**

18 The President shall direct the United States Perma-
19 nent Representative to the United Nations to use the
20 voice, vote, and influence of the United States at the
21 United Nations to work toward adoption by the General
22 Assembly of—

23 (1) a definition of terrorism that—

24 (A) builds upon the recommendations of
25 the December 2004 report of the High-Level
26 Panel on Threats, Challenges, and Change;

1 (B) includes as an essential component of
2 such definition any action that is intended to
3 cause death or serious bodily harm to civilians
4 with the purpose of intimidating a population
5 or compelling a government or an international
6 organization to do, or abstain from doing, any
7 act; and

8 (C) does not propose a legal or moral
9 equivalence between an action described in sub-
10 paragraph (B) and measures taken by a gov-
11 ernment or international organization in self-de-
12 fense against an action described in subpara-
13 graph (B); and

14 (2) a comprehensive convention on terrorism
15 that includes the definition described in paragraph
16 (1).

17 **SEC. 109. UNITED NATIONS TREATY BODIES.**

18 The United States shall withhold from United States
19 contributions to the regular assessed budget of the United
20 Nations for a biennial period amounts that are propor-
21 tional to the percentage of such budget that are expended
22 with respect to a United Nations human rights treaty
23 monitoring body or committee that was established by—

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

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

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

7 (a) IN GENERAL.—The President shall direct the
8 United States permanent representative to the United Na-
9 tions to use the voice, vote, and influence of the United
10 States at the United Nations to make every effort to—

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

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

20 (B) requires employees of the United Na-
21 tions and its specialized agencies, programs,
22 and funds to be subject to punitive action, in-
23 cluding immediate dismissal, for making anti-
24 Semitic statements or references;

1 (C) proposes specific recommendations to
2 the General Assembly for the establishment of
3 mechanisms to hold accountable employees and
4 officials of the United Nations and its special-
5 ized agencies, programs, and funds, or Member
6 States, that make such anti-Semitic statements
7 or references in any forum of the United Na-
8 tions or of its specialized agencies;

9 (D) continues to develop and implements
10 education awareness programs about the Holo-
11 caust and anti-Semitism throughout the world,
12 as part of an effort to combat intolerance and
13 hatred; and

14 (E) requires the Office of the United Na-
15 tions High Commissioner for Human Rights
16 (OHCHR) to develop programming and other
17 measures that address anti-Semitism;

18 (2) secure the adoption of a resolution by the
19 General Assembly that establishes the mechanisms
20 described in paragraph (1)(C); and

21 (3) continue working toward further reduction
22 of anti-Semitism in the United Nations and its spe-
23 cialized agencies, programs, and funds.

24 (b) WITHHOLDING OF FUNDS.—Notwithstanding
25 any other provision of law, of the amounts appropriated

1 or otherwise made available for the United Nations and
2 its affiliated agencies under the heading “Contributions
3 for International Organizations” for fiscal year 2013 and
4 each fiscal year thereafter, \$100,000,000 shall be withheld
5 from obligation or expenditure until the President certifies
6 to the Committees on Foreign Relations and Appropria-
7 tions of the Senate and the Committees on Foreign Affairs
8 and Appropriations of the House of Representative that
9 no United Nations agency or United Nations affiliated
10 agency grants any official status, accreditation, or recogni-
11 tion to any organization which promotes or condones anti-
12 Semitism, or which includes as a subsidiary or member
13 any such organization. Funds appropriated for use as a
14 United States contribution to the United Nations but
15 withheld from obligation and expenditure pursuant to this
16 subsection shall revert to the United States Treasury at
17 the end of said fiscal year and shall not be considered ar-
18 rears to be repaid to any United Nations entity.

19 **SEC. 111. UNITED STATES POLICY ON TIER 3 HUMAN**
20 **RIGHTS VIOLATORS.**

21 The President shall direct the United States Perma-
22 nent Representative to the United Nations to use the
23 voice, vote, and influence of the United States at the
24 United Nations to ensure that no representative of a coun-
25 try designated by the Department of State pursuant to

1 section 110 of the Trafficking Victims Protection Act of
2 2000 (22 U.S.C. 7107) as a Tier 3 country presides as
3 Chair or President of any United Nations entity.

4 **TITLE II—TRANSPARENCY AND**
5 **ACCOUNTABILITY FOR**
6 **UNITED STATES CONTRIBU-**
7 **TIONS TO THE UNITED NA-**
8 **TIONS**

9 **SEC. 201. DEFINITIONS.**

10 In this title:

11 (1) **TRANSPARENCY CERTIFICATION.**—The term
12 “transparency certification” means an annual, writ-
13 ten affirmation by the head or authorized designee
14 of a United Nations entity that the entity will co-
15 operate with the Inspector General, including by
16 providing the Inspector General, upon request, with
17 full access to oversight information.

18 (2) **OVERSIGHT INFORMATION.**—The term
19 “oversight information” includes—

20 (A) internally and externally commissioned
21 audits, investigatory reports, program reviews,
22 performance reports, and evaluations;

23 (B) financial statements, records, and bill-
24 ing systems;

1 (C) program budgets and program budget
 2 implications, including revised estimates and re-
 3 ports on budget related matters;

4 (D) operational plans, budgets, and budg-
 5 etary analyses for peacekeeping operations;

6 (E) analyses and reports regarding the
 7 scale of assessments;

8 (F) databases and other data systems con-
 9 taining financial or programmatic information;

10 (G) documents or other records alleging or
 11 involving improper use of resources, mis-
 12 conduct, mismanagement, or other violations of
 13 rules and regulations applicable to a United
 14 Nations entity; and

15 (H) other documentation relevant to the
 16 audit and investigative work of the Inspector
 17 General with respect to United States contribu-
 18 tions to the United Nations system.

19 **SEC. 202. ESTABLISHMENT AND MANAGEMENT OF THE OF-**
 20 **FICE OF THE UNITED STATES INSPECTOR**
 21 **GENERAL FOR CONTRIBUTIONS TO THE**
 22 **UNITED NATIONS SYSTEM.**

23 (a) PURPOSE.—The purpose of this section is to
 24 make possible the independent and objective conduct of
 25 audits and investigations relating to United States con-

1 tributions to the United Nations system and the use of
2 those contributions by United Nations entities, in an effort
3 to eliminate and deter waste, fraud, and abuse in the use
4 of those contributions, and thereby to contribute to the
5 development of greater transparency, accountability, and
6 internal controls throughout the United Nations system.

7 (b) ESTABLISHMENT.—There is hereby established
8 the Office of the United States Inspector General for Con-
9 tributions to the United Nations System.

10 (c) INSPECTOR GENERAL.—

11 (1) APPOINTMENT.—The head of the Office of
12 the United States Inspector General for Contribu-
13 tions to the United Nations System is the Inspector
14 General for Contributions to the United Nations
15 System, who shall be appointed by the President, by
16 and with the advice and consent of the Senate, on
17 the basis of integrity and demonstrated ability in ac-
18 counting, auditing, financial analysis, law, manage-
19 ment analysis, public administration, or investiga-
20 tions.

21 (2) NOMINATION.—The nomination of an indi-
22 vidual as Inspector General shall be made not later
23 than 30 days after the enactment of this Act.

24 (3) REMOVAL.—The Inspector General may be
25 removed from office by the President. The President

1 shall communicate the reasons for any such removal
2 to both Houses of Congress.

3 (4) COMPENSATION.—The annual rate of basic
4 pay of the Inspector General shall be the annual rate
5 of basic pay provided for positions at level IV of the
6 Executive Schedule under section 5315 of title 5,
7 United States Code.

8 (5) RELATIONSHIP TO BOARD.—

9 (A) Except as provided in subparagraph
10 (B), the Inspector General shall report directly
11 to and be under the general supervision of, the
12 Board of Directors established under subsection
13 (d).

14 (B) Neither the Board, any officer of the
15 Board, nor any officer of a Federal department
16 or agency shall prevent or prohibit the Inspec-
17 tor General from initiating, carrying out, or
18 completing any audit or investigation.

19 (6) DUTIES.—The Inspector General shall carry
20 out the following duties:

21 (A) In accordance with section 4(b)(1) of
22 the Inspector General Act of 1978 (5 U.S.C.
23 App.), conducting, supervising, and coordi-
24 nating audits and investigations of—

1 (i) the treatment, handling, expendi-
2 ture, and use of United States contribu-
3 tions by and to United Nations entities;
4 and

5 (ii) the adequacy of accounting, over-
6 sight, and internal control mechanisms at
7 United Nations entities that receive United
8 States contributions.

9 (B) In accordance with section 4(b)(1) of
10 the Inspector General Act of 1978 (5 U.S.C.
11 App.), establishing, maintaining, and overseeing
12 such systems, procedures, and controls as the
13 Inspector General considers appropriate to dis-
14 charge the duty under subparagraph (A).

15 (C) Collecting and maintaining current
16 records regarding transparency certifications by
17 all United Nations entities that receive United
18 States contributions.

19 (D) Keeping the Board of Directors and
20 Congress fully and promptly informed of how
21 United Nations entities are spending United
22 States contributions by means of reports, testi-
23 mony, and briefings.

24 (E) Promptly reporting to the United
25 States Attorney General when Inspector Gen-

1 eral has reasonable grounds to believe a United
2 States Federal criminal law has been violated
3 by a United Nations entity or one of its employ-
4 ees, contractors, or representatives.

5 (F) Promptly reporting, when appropriate,
6 to the Secretary-General or the head of the ap-
7 propriate United Nations entity cases where the
8 Inspector General reasonably believes that mis-
9 management, misfeasance, or malfeasance is
10 likely to have taken place within a United Na-
11 tions entity and disciplinary proceedings are
12 likely justified.

13 (7) PERSONNEL, FACILITIES, AND OTHER RE-
14 SOURCES.—

15 (A) OFFICERS AND EMPLOYEES.—The In-
16 spector General may select, appoint, and em-
17 ploy such officers and employees as may be nec-
18 essary for carrying out the duties of the Inspec-
19 tor General.

20 (B) SERVICES.—The Inspector General
21 may obtain services as authorized by section
22 3109 of title 5, United States Code, at daily
23 rates not to exceed the equivalent rate pre-
24 scribed for grade GS-15 of the General Sched-
25 ule by section 5332 of such title.

1 (C) PROPERTY.—The Inspector General
2 may lease, purchase, or otherwise acquire, im-
3 prove, and use such real property wherever situ-
4 ated, as may be necessary for carrying out this
5 section.

6 (D) CONTRACT AUTHORITY.—To the ex-
7 tent and in such amounts as may be provided
8 in advance by appropriations Acts, the Inspec-
9 tor General may enter into contracts and other
10 arrangements for audits, studies, analyses, and
11 other services with public agencies and with pri-
12 vate persons, and make such payments as may
13 be necessary to carry out the duties of the In-
14 specter General.

15 (E) DETAILS.—Upon request by the In-
16 specter General, the head of a Federal agency
17 may detail any employee of such agency to the
18 Office of the United States Inspector General
19 for Contributions to the United Nations System
20 on a reimbursable basis. Any employee so de-
21 tailed remains, for the purpose of preserving
22 such employee's allowances, privileges, rights,
23 seniority, and other benefits, an employee of the
24 agency from which detailed.

(8) COOPERATION BY UNITED STATES GOVERNMENT ENTITIES.—

(A) IN GENERAL.—In carrying out the duties, responsibilities, and authorities of the Inspector General under this section, the Inspector General shall receive the cooperation of inspectors general of other Federal Government agencies.

(B) INFORMATION SHARING.—Upon request of the Inspector General for information or assistance from any department, agency, or other entity of the Federal Government, the head of such entity shall, insofar as is practicable and not in contravention of any existing law, furnish such information or assistance to the Inspector General, or an authorized designee.

(C) REPORTING OF NONCOOPERATION.—Whenever information or assistance requested by the Inspector General is, in the judgment of the Inspector General, unreasonably refused or not provided, the Inspector General shall report the circumstances to the Board of Directors and to the appropriate congressional committees without delay.

1 (9) CONFIRMATION OF TRANSPARENCY BY
2 UNITED NATIONS ENTITIES.—

3 (A) PROMPT NOTICE BY INSPECTOR GEN-
4 ERAL.—Whenever information or assistance re-
5 quested from a United Nations entity by the In-
6 spector General pursuant to a transparency cer-
7 tification is, in the opinion of the Inspector
8 General, unreasonably refused or not provided
9 in a timely manner, the Inspector General shall
10 notify the Board of Directors, the head of that
11 particular United Nations entity, and the
12 United Nations Secretary-General of the cir-
13 cumstances in writing, without delay.

14 (B) NOTICE OF COMPLIANCE.—If and
15 when the information or assistance being
16 sought by the Inspector General in connection
17 with a notification pursuant to subparagraph
18 (A) is provided to the satisfaction of the Inspec-
19 tor General, the Inspector General shall so no-
20 tify in writing the United Nations entity, the
21 Board of Directors, and the appropriate con-
22 gressional committees.

23 (C) NONCOMPLIANCE.—If the information
24 or assistance being sought by the Inspector
25 General in connection with a notification pursu-

1 ant to subparagraph (A) is not provided to the
2 satisfaction of the Inspector General within 90
3 days of that notification, then the United Na-
4 tions entity that is the subject of the notifica-
5 tion is deemed to be noncompliant with its
6 transparency certification, and the Inspector
7 General shall provide prompt, written notifica-
8 tion of that fact to the Board of Directors, the
9 appropriate congressional committees, the head
10 of that United Nations entity, the United Na-
11 tions Secretary-General, and any office or agen-
12 cy of the Federal Government that has provided
13 that United Nations entity with any United
14 States contribution during the prior two years.

15 (D) RESTORATION OF COMPLIANCE.—A
16 finding of transparency certification noncompli-
17 ance pursuant to subparagraph (C) may be re-
18 versed by an affirmative vote of at least 5 of
19 the 7 members of the Board of Directors if the
20 Board finds that the entity has satisfactorily re-
21 solved the noncompliance issue. The Board
22 shall promptly provide notification of such res-
23 toration, along with a description of the basis
24 for the Board's decision, to the Inspector Gen-
25 eral, the appropriate congressional committees,

1 the head of the affected United Nations entity,
2 the United Nations Secretary-General, and the
3 head of any office or agency of the Federal
4 Government that has provided that United Na-
5 tions entity with any United States contribution
6 during the prior two years.

7 (E) COST REIMBURSEMENT.—The Inspec-
8 tor General may reimburse United Nations en-
9 tities for the reasonable cost of providing to the
10 Inspector General information or assistance
11 sought pursuant to a transparency certification.

12 (10) REPORTS.—

13 (A) AUDIT AND INVESTIGATION RE-
14 PORTS.—Promptly upon completion, the Inspec-
15 tor General shall provide copies of each audit
16 and investigation report completed pursuant to
17 paragraph (6) to the Board of Directors, the
18 appropriate congressional committees, and, to
19 the extent permissible under United States law,
20 the head of each United Nations entity that is
21 the subject of that particular report.

22 (B) SEMIANNUAL REPORTS.—Not later
23 than May 30, 2014, and semiannually there-
24 after, the Inspector General shall submit to the

appropriate congressional committees a report that, among other things—

(i) meets the requirements of section 5 of the Inspector General Act of 1978; and

(ii) includes a list of and detailed description of the circumstances surrounding any notification of noncompliance issued pursuant to paragraph (9)(C) during the covered timeframe, and whether and when the Board of Directors has reversed such finding of noncompliance.

(C) PROHIBITED DISCLOSURES.—Nothing in this subsection shall be construed to authorize the public disclosure of information that is—

(i) specifically prohibited from disclosure by any other provision of law;

(ii) specifically required by Executive order to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs; or

(iii) a part of an ongoing criminal investigation.

1 (D) PRIVACY PROTECTIONS.—The Inspec-
2 tor General shall exempt from public disclosure
3 information received from a United Nations en-
4 tity or developed during an audit or investiga-
5 tion that the Inspector General believes—

6 (i) constitutes a trade secret or privi-
7 leged and confidential personal financial
8 information;

9 (ii) accuses a particular person of a
10 crime;

11 (iii) would, if publicly disclosed, con-
12 stitute a clearly unwarranted invasion of
13 personal privacy; or

14 (iv) would compromise an ongoing law
15 enforcement investigation or judicial trial
16 in the United States.

17 (E) PUBLICATION.—Subject only to the
18 exceptions detailed in subparagraphs (C) and
19 (D), the Inspector General shall promptly pub-
20 lish each report under this subsection on a pub-
21 licly available and searchable Internet website.

22 (d) BOARD OF DIRECTORS.—

23 (1) ESTABLISHMENT.—The Office of the
24 United States Inspector General for Contributions to

1 the United Nations System shall have a Board of
2 Directors.

3 (2) DUTIES.—The Board shall receive informa-
4 tion and reports of audits and investigations from
5 the Office and the Inspector General, provide gen-
6 eral direction and supervision to the Office and the
7 Inspector General, and determine the restoration of
8 compliance by any United Nations entity with a
9 transparency certification pursuant to subsection
10 (c)(9)(D).

11 (3) MEMBERSHIP.—The Board shall consist of
12 the Secretary of State (or the Secretary's designee),
13 the Secretary of Labor (or the Secretary's designee),
14 the Secretary of Agriculture (or the Secretary's des-
15 ignee), the Secretary of Defense (or the Secretary's
16 designee), the Administrator of the Environmental
17 Protection Agency (or the Administrator's designee),
18 the Secretary of the Treasury (or the Secretary's
19 designee), and the Director of the Office of Manage-
20 ment and Budget (or the Director's designee).

21 (4) CHAIRMANSHIP.—The Board shall be
22 chaired by a board member, and the chairmanship
23 shall rotate among the member departments and
24 agencies on an annual basis. The first chair shall be
25 the Director of the Office of Management and Budg-

1 et (or such designee of the Director serving on the
2 Board).

3 **SEC. 203. TRANSPARENCY FOR UNITED STATES CONTRIBU-**
4 **TIONS.**

5 (a) **FUNDING PREREQUISITES.**—Notwithstanding
6 any other provision of law, no funds made available for
7 use as a United States contribution to any United Nations
8 entity may be obligated or expended if—

9 (1) the intended United Nations entity recipient
10 has not provided to the Inspector General within the
11 preceding year a transparency certification; or

12 (2) the intended United Nations entity recipient
13 is noncompliant with its transparency certification
14 as described in section 202(c)(9)(C).

15 (b) **TREATMENT OF FUNDS WITHHELD FOR NON-**
16 **COMPLIANCE.**—At the conclusion of each fiscal year, any
17 funds that had been appropriated for use as a United
18 States contribution to a United Nations entity during that
19 fiscal year, but could not be obligated or expended because
20 of the restrictions of subsection (a), shall be returned to
21 the United States Treasury, and are not subject to re-
22 programming for any other use. Any such funds returned
23 to the Treasury shall not be considered arrears to be re-
24 paid to any United Nations entity.

1 (c) PRESIDENTIAL WAIVER.—The President may
 2 waive the limitations of this section with respect to a par-
 3 ticular United States contribution to a particular United
 4 Nations entity within a single fiscal year if the President
 5 determines that it is necessary for the national security
 6 interests of the United States and provides notification
 7 and explanation of that determination to the appropriate
 8 congressional committees.

9 **SEC. 204. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated out of funds
 11 available to the Department of State for International Or-
 12 ganizations such sums as are necessary to carry out the
 13 activities of this title, provided that such sums are not less
 14 than one half of 1 percent of the total amount of all as-
 15 sessed and voluntary contributions of the United States
 16 Government to the United Nations and United Nations
 17 affiliated agencies and related bodies during the prior fis-
 18 cal year.

19 **TITLE III—STATUS OF PALES-**
 20 **TINIAN ENTITIES AT THE**
 21 **UNITED NATIONS**

22 **SEC. 301. STATEMENT OF POLICY.**

23 It is the policy of the United States to oppose the
 24 recognition of a Palestinian state by any United Nations
 25 entity, or the granting of full membership to the Pales-

1 tinian observer mission at the United Nations, the Pal-
2 estine Liberation Organization, the Palestinian Authority,
3 or any other Palestinian administrative organization or
4 governing entity, at any United Nations entity, prior to
5 the achievement of a final peace agreement negotiated be-
6 tween and agreed to by Israel and the Palestinians.

7 **SEC. 302. IMPLEMENTATION.**

8 (a) IN GENERAL.—The President shall direct the
9 United States Permanent Representative to the United
10 Nations to use the voice, vote, and influence of the United
11 States at the United Nations to advance the policy stated
12 in section 301.

13 (b) WITHHOLDING OF FUNDS.—The Secretary shall
14 withhold United States contributions from any United Na-
15 tions entity that recognizes a Palestinian state or grants
16 full membership to the Palestinian observer mission at the
17 United Nations, the Palestine Liberation Organization,
18 the Palestinian Authority, or any other Palestinian admin-
19 istrative organization or governing entity, at that United
20 Nations entity, prior to the achievement of complete and
21 final peace agreement negotiated between and agreed to
22 by Israel and the Palestinians. Funds appropriated for use
23 as a United States contribution to the United Nations but
24 withheld from obligation and expenditure pursuant to this
25 section shall immediately revert to the United States

1 Treasury and shall not be considered arrears to be repaid
 2 to any United Nations entity.

3 **TITLE IV—UNITED NATIONS** 4 **HUMAN RIGHTS COUNCIL**

5 **SEC. 401. UNITED NATIONS HUMAN RIGHTS COUNCIL.**

6 (a) IN GENERAL.—For each fiscal year beginning
 7 after the effective date of this Act, until the Secretary sub-
 8 mits to Congress a certification that the requirements de-
 9 scribed in subsection (b) have been satisfied—

10 (1) the Secretary shall withhold from the
 11 United States contribution each fiscal year to the
 12 regular budget of the United Nations an amount
 13 that is equal to the percentage of such contribution
 14 that the Secretary determines would be allocated by
 15 the United Nations to support the United Nations
 16 Human Rights Council or any of its Special Proce-
 17 dures;

18 (2) the Secretary shall not make a voluntary
 19 contribution to the United Nations Human Rights
 20 Council; or

21 (3) the United States shall not run for a seat
 22 on the United Nations Human Rights Council.

23 (b) CERTIFICATION.—The annual certification re-
 24 ferred to in subsection (a) is a certification made by the
 25 Secretary to Congress that—

1 (1) the United Nations Human Rights Coun-
2 cil’s mandate from the United Nations General As-
3 sembly explicitly and effectively prohibits candidacy
4 for Human Rights Council membership of a United
5 Nations Member State—

6 (A) subject to sanctions by the Security
7 Council; and

8 (B) under a Security Council-mandated in-
9 vestigation for human rights abuses;

10 (2) the United Nations Human Rights Council
11 does not include a United Nations Member State—

12 (A) subject to sanctions by the Security
13 Council;

14 (B) under a Security Council-mandated in-
15 vestigation for human rights abuses;

16 (C) that the Secretary has determined, for
17 purposes of section 6(j) of the Export Adminis-
18 tration Act of 1979 (as continued in effect pur-
19 suant to the International Emergency Economic
20 Powers Act; 50 U.S.C. 1701 et seq.), section 40
21 of the Arms Export Control Act (22 U.S.C.
22 2780), section 620A of the Foreign Assistance
23 Act of 1961 (22 U.S.C. 2371), or other provi-
24 sion of law, is a government that has repeatedly

1 provided support for acts of international ter-
 2 rorism;

3 (D) designated by the Department of State
 4 pursuant to section 110 of the Trafficking Vic-
 5 tims Protection Act of 2000 (22 U.S.C. 7107)
 6 as a Tier 3 country; or

7 (E) that the President has designated as a
 8 country of particular concern for religious free-
 9 dom under section 402(b) of the International
 10 Religious Freedom Act of 1998 (22 U.S.C.
 11 6442(b)); and

12 (3) the United Nations Human Rights Coun-
 13 cil's agenda or programme of work does not include
 14 a permanent item with regard to the State of Israel.

15 (c) REVERSION OF FUNDS.—Funds appropriated for
 16 use as a United States contribution to the United Nations
 17 but withheld from obligation and expenditure pursuant to
 18 this section shall immediately revert to the United States
 19 Treasury and shall not be considered arrears to be repaid
 20 to any United Nations entity.

21 **TITLE V—GOLDSTONE REPORT**

22 **SEC. 501. GOLDSTONE REPORT.**

23 (a) WITHHOLDING OF FUNDS.—The Secretary shall
 24 withhold from the United States contribution to the reg-
 25 ular budget of the United Nations an amount that is equal

1 to the percentage of such contribution that the Secretary
 2 determines would be or has been expended by the United
 3 Nations for any part of the Goldstone Report or its pre-
 4 paratory or follow-on activities.

5 (b) REFUND OF UNITED STATES TAXPAYER DOL-
 6 LARS.—Funds appropriated for use as a United States
 7 contribution to the regular budget of the United Nations
 8 but withheld from obligation and expenditure pursuant to
 9 subsection (a) shall immediately revert to the United
 10 States Treasury and shall not be considered arrears to be
 11 repaid to any United Nations entity.

12 **TITLE VI—DURBAN PROCESS**

13 **SEC. 601. NON-PARTICIPATION IN THE DURBAN PROCESS.**

14 None of the funds made available in any provision
 15 of law may be used for United States participation in any
 16 further part of the Durban process.

17 **SEC. 602. WITHHOLDING OF FUNDS; REFUND OF UNITED** 18 **STATES TAXPAYER DOLLARS.**

19 (a) WITHHOLDING OF FUNDS FOR THE DURBAN
 20 PROCESS.—The Secretary shall withhold from the United
 21 States contribution to the regular budget of the United
 22 Nations an amount that is equal to the percentage of such
 23 contribution that the Secretary determines would be or
 24 has been expended by the United Nations for any part
 25 of the Durban process, including—

1 (1) any public information campaign for the
2 commemoration of the “Durban Declaration and
3 Programme of Action” or any subsequent outcome
4 documents;

5 (2) the Intergovernmental Working Group on
6 the Effective Implementation of the Durban Dec-
7 laration and Programme of Action;

8 (3) the “group of independent eminent experts
9 on the implementation of the Durban Declaration
10 and Programme of Action”; and

11 (4) the Ad Hoc Committee on the Elaboration
12 of Complementary Standards.

13 (b) WITHHOLDING OF FUNDS FOR OTHER BIASED
14 AND COMPROMISED ACTIVITIES.—Until the Secretary
15 submits to the appropriate congressional committees a
16 certification, on a case-by-case basis, that the require-
17 ments described in subsection (d) have been satisfied, the
18 United States shall withhold from the United States con-
19 tribution to the regular budget of the United Nations an
20 amount that is equal to the percentage of such contribu-
21 tion that the Secretary determines has been allocated by
22 the United Nations for any conference, meeting, or other
23 multilateral forum, or the preparatory or follow-on activi-
24 ties of any conference, meeting, or other multilateral

1 forum, that is organized under the aegis or jurisdiction
2 of the United Nations or of any United Nations entity.

3 (c) REFUND OF UNITED STATES TAXPAYER DOL-
4 LARS.—

5 (1) CONTRIBUTIONS TO REGULAR BUDGET OF
6 UNITED NATIONS.—Funds appropriated for use as a
7 United States contribution to the regular budget of
8 the United Nations but withheld from obligation and
9 expenditure pursuant to subsection (a) shall imme-
10 diately revert to the United States Treasury and
11 shall not be considered arrears to be repaid to any
12 United Nations entity.

13 (2) CONTRIBUTIONS TO BIENNIAL BUDGET OF
14 UNITED NATIONS.—Funds appropriated for use as a
15 United States contribution to the regularly assessed
16 biennial budget of the United Nations but withheld
17 from obligation and expenditure pursuant to sub-
18 section (b) may be obligated and expended for that
19 purpose upon the certification described in sub-
20 section (d). Such funds shall revert to the United
21 States Treasury if no such certification is made by
22 the date that is one year after such appropriation,
23 and shall not be considered arrears to be repaid to
24 any United Nations entity.

1 (d) CERTIFICATION.—The certification referred to in
2 subsection (b) is a certification made by the Secretary to
3 the appropriate congressional committees concerning the
4 following:

5 (1) The specified conference, meeting, or other
6 multilateral forum did not reaffirm, call for the im-
7 plementation of, or otherwise support the Durban
8 Declaration and Programme of Action (2001) or the
9 outcome document of the Durban II conference
10 (2009) or the Durban III meeting (2011).

11 (2) The specified conference or forum was not
12 used to propagate racism, racial discrimination, anti-
13 Semitism, denial of the Holocaust, incitement to vio-
14 lence or genocide, xenophobia, or related intolerance.

15 (3) The specified conference or forum was not
16 used to advocate for restrictions on the freedoms of
17 speech, expression, religion, the press, assembly, or
18 petition, or for restrictions on other fundamental
19 human rights and freedoms.

20 (4) The leadership of the specified conference
21 or forum does not include a Member State, or a rep-
22 resentative from a Member State—

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

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

3 (C) the government of which the Secretary
 4 has determined, for purposes of section 6(j) of
 5 the Export Administration Act of 1979 (as con-
 6 tinued in effect pursuant to the International
 7 Emergency Economic Powers Act), section 40
 8 of the Arms Export Control Act, section 620A
 9 of the Foreign Assistance Act of 1961, or other
 10 provision of law, is a government that has re-
 11 peatedly provided support for acts of inter-
 12 national terrorism.

13 **TITLE VII—UNITED NATIONS RE-**
 14 **LIEF AND WORKS AGENCY**
 15 **FOR PALESTINE REFUGEES**
 16 **IN THE MIDDLE EAST**

17 **SEC. 701. UNITED STATES CONTRIBUTIONS TO UNRWA.**

18 Section 301 of the Foreign Assistance Act of 1961
 19 (22 U.S.C. 2221) is amended by amending subsection (c)
 20 to read as follows:

21 “(c)(1) Contributions by the United States to the
 22 United Nations Relief and Works Agency for Palestine
 23 Refugees in the Near East (UNRWA), to any successor
 24 or related entity, or to the regular budget of the United
 25 Nations for the support of UNRWA or a successor entity

1 (through staff positions provided by the United Nations
2 Secretariat, or otherwise), may be provided only after the
3 Secretary has submitted the annual report described in
4 paragraph (2) to the appropriate congressional commit-
5 tees.

6 “(2) A written report by the Secretary of State, based
7 on all information available after diligent inquiry, and
8 transmitted to the appropriate congressional committees
9 along with a detailed description of the factual basis there-
10 for, that—

11 “(A) no official, employee, consultant, con-
12 tractor, subcontractor, representative, or affiliate of
13 UNRWA—

14 “(i) is a member of a foreign terrorist or-
15 ganization;

16 “(ii) has propagated, disseminated, or in-
17 cited anti-American, anti-Israel, or anti-Semitic
18 rhetoric or propaganda; or

19 “(iii) has used any UNRWA resources, in-
20 cluding publications or Internet websites, to
21 propagate or disseminate political materials, in-
22 cluding political rhetoric regarding the Israeli-
23 Palestinian conflict;

24 “(B) no UNRWA school, hospital, clinic, other
25 facility, or other infrastructure or resource is being

1 used by a foreign terrorist organization for oper-
2 ations, planning, training, recruitment, fundraising,
3 indoctrination, communications, sanctuary, storage
4 of weapons or other materials, or any other pur-
5 poses;

6 “(C) UNRWA is subject to comprehensive fi-
7 nancial audits by an internationally recognized third
8 party independent auditing firm and has imple-
9 mented an effective system of vetting and oversight
10 to prevent the use, receipt, or diversion of any
11 UNRWA resources by any foreign terrorist organiza-
12 tion or members thereof;

13 “(D) no UNRWA-funded school or educational
14 institution uses textbooks or other educational mate-
15 rials that propagate or disseminate anti-American,
16 anti-Israel, or anti-Semitic rhetoric, propaganda or
17 incitement;

18 “(E) no recipient of UNRWA funds or loans is
19 a member of a foreign terrorist organization; and

20 “(F) UNRWA holds no accounts or other affili-
21 ations with financial institutions that the United
22 States deems or believes to be complicit in money
23 laundering and terror financing.

24 “(3) DEFINITIONS.—In this section:

1 “(A) APPROPRIATE CONGRESSIONAL COMMIT-
 2 TEES.—The term ‘appropriate congressional com-
 3 mittees’ means—

4 “(i) the Committees on Foreign Relations,
 5 Appropriations, and Homeland Security and
 6 Governmental Affairs of the Senate; and

7 “(ii) the Committees on Foreign Affairs,
 8 Appropriations, and Oversight and Government
 9 Reform of the House of Representatives.

10 “(B) FOREIGN TERRORIST ORGANIZATION.—
 11 The term ‘foreign terrorist organization’ means an
 12 organization designated as a foreign terrorist organi-
 13 zation by the Secretary of State in accordance with
 14 section 219(a) of the Immigration and Nationality
 15 Act (8 U.S.C. 1189(a)).

16 “(4) LIMITATION.—The United States may not con-
 17 tribute to the United Nations Relief and Works Agency
 18 for Palestine Refugees in the Near East (UNRWA) or a
 19 successor entity an annual amount—

20 “(A) greater than the highest annual contribu-
 21 tion to UNRWA made by a member country of the
 22 League of Arab States;

23 “(B) that, as a proportion of the total UNRWA
 24 budget, exceeds the proportion of the total budget

1 for the United Nations High Commissioner for Ref-
2 ugees (UNHCR) paid by the United States; or
3 “(C) that exceeds 22 percent of the total budget
4 of UNRWA.”.

5 **SEC. 702. SENSE OF CONGRESS.**

6 It is the sense of Congress that—

7 (1) the President and the Secretary should lead
8 a high-level diplomatic effort to encourage other re-
9 sponsible nations to withhold contributions to
10 UNRWA, to any successor or related entity, or to
11 the regular budget of the United Nations for the
12 support of UNRWA or a successor entity (through
13 staff positions provided by the United Nations Sec-
14 retariat, or otherwise) until UNRWA has met the
15 conditions listed in subparagraphs (A) through (F)
16 of section 301(c)(2) of the Foreign Assistance Act of
17 1961 (as added by section 701);

18 (2) citizens of recognized states should be re-
19 moved from UNRWA’s jurisdiction;

20 (3) UNRWA’s definition of a “Palestine ref-
21 ugee” should be changed to that used for a refugee
22 by the Office of the United Nations High Commis-
23 sioner for Refugees; and

24 (4) it should be the goal of the United States
25 to eliminate UNRWA and give the Office of the

1 United Nations High Commissioner for Refugees
 2 full responsibility for Palestinian refugees as defined
 3 under paragraph (3).

4 **TITLE VIII—INTERNATIONAL**
 5 **ATOMIC ENERGY AGENCY**

6 **SEC. 801. TECHNICAL COOPERATION PROGRAM.**

7 (a) IN GENERAL.—No funds from any United States
 8 assessed or voluntary contribution to the IAEA may be
 9 used to support any assistance provided by the IAEA
 10 through its Technical Cooperation Program to any coun-
 11 try, including North Korea, that—

12 (1) is a country the government of which has
 13 been determined by the Secretary, for purposes of
 14 section 6(j) of the Export Administration Act of
 15 1979, section 620A of the Foreign Assistance Act of
 16 1961, section 40 of the Arms Export Control Act,
 17 or other provision of law, is a government that has
 18 repeatedly provided support for acts of international
 19 terrorism;

20 (2) is in breach of or noncompliance with its
 21 obligations regarding—

22 (A) its safeguards agreement with the
 23 IAEA;

24 (B) the Additional Protocol;

25 (C) the Nuclear Non-Proliferation Treaty;

1 (D) any relevant United Nations Security
2 Council Resolution; or

3 (E) the Charter of the United Nations; or
4 (3) is under investigation for a breach of or
5 noncompliance with the obligations specified in para-
6 graph (2).

7 (b) WITHHOLDING OF VOLUNTARY CONTRIBU-
8 TIONS.—Not later than 30 days after the date of the en-
9 actment of this Act, the Secretary shall withhold from the
10 United States voluntary contribution to the IAEA an
11 amount proportional to that spent by the IAEA in the pe-
12 riod from 2007 to 2008 on assistance through its Tech-
13 nical Cooperation Program to countries described in sub-
14 section (a).

15 (c) WITHHOLDING OF ASSESSED CONTRIBUTIONS.—
16 If, not later than 30 days of the date of the enactment
17 of this Act, the amount specified in subsection (c) has not
18 been withheld and the IAEA has not suspended all assist-
19 ance provided through its Technical Cooperation Program
20 to the countries described in subsection (a), an amount
21 equal to that specified in subsection (b) shall be withheld
22 from the United States assessed contribution to the IAEA.

23 (d) WAIVER.—The provisions in subsections (b) and
24 (c) may be waived if—

1 (1) the IAEA has suspended all assistance pro-
2 vided through its Technical Cooperation Program to
3 the countries described in subsection (a); or

4 (2) the President certifies that the countries de-
5 scribed in subsection (a) no longer pose a threat to
6 the national security, interests, and allies of the
7 United States.

8 (e) UNITED STATES ACTIONS AT IAEA.—The Presi-
9 dent shall direct the United States Permanent Represent-
10 ative to the IAEA to use the voice, vote, and influence
11 of the United States at the IAEA to block the allocation
12 of funds for any assistance provided by the IAEA through
13 its Technical Cooperation Program to any country de-
14 scribed in subsection (a).

15 (f) REPORT.—Not later than 180 days after the date
16 of the enactment of this Act, the President shall transmit
17 to the appropriate congressional committees a report on
18 the implementation of this section.

19 **SEC. 802. UNITED STATES POLICY AT THE IAEA.**

20 (a) ENFORCEMENT AND COMPLIANCE.—

21 (1) OFFICE OF COMPLIANCE.—

22 (A) ESTABLISHMENT.—The President
23 shall direct the United States Permanent Rep-
24 resentative to the International Atomic Energy
25 Agency (IAEA) to use the voice, vote, and influ-

1 ence of the United States at the IAEA to estab-
2 lish an Office of Compliance in the Secretariat
3 of the IAEA.

4 (B) OPERATION.—The Office of Compli-
5 ance shall—

6 (i) function as an independent body
7 composed of technical experts who shall
8 work in consultation with IAEA inspectors
9 to assess compliance by IAEA Member
10 States with the Statute of the IAEA and
11 the Treaty on the Non-Proliferation of Nu-
12 clear Weapons (21 UST 483) (commonly
13 referred to as the “Nuclear Nonprolifera-
14 tion Treaty” or the “NPT”) and provide
15 recommendations to the IAEA Board of
16 Governors concerning penalties to be im-
17 posed on IAEA Member States that fail to
18 fulfill their obligations under IAEA Board
19 resolutions;

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

23 (iii) take into consideration informa-
24 tion provided by IAEA Board Members
25 that are 1 of the 5 nuclear weapons states

1 recognized by the Nuclear Nonproliferation
2 Treaty.

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

8 (2) COMMITTEE ON SAFEGUARDS AND
9 VERIFICATION.—The President shall direct the
10 United States Permanent Representative to the
11 IAEA to use the voice, vote, and influence of the
12 United States at the IAEA to ensure that the Com-
13 mittee on Safeguards and Verification established in
14 2005 shall develop and seek to put into force a
15 workplan of concrete measures that will—

16 (A) improve the ability of the IAEA to
17 monitor and enforce compliance by Member
18 States of the IAEA with the Nuclear Non-
19 proliferation Treaty and the Statute of the
20 International Atomic Energy Agency; and

21 (B) enhance the ability of the IAEA, be-
22 yond the verification mechanisms and authori-
23 ties contained in the Additional Protocol to the
24 Safeguards Agreements between the IAEA and
25 Member States of the IAEA, to detect with a

1 high degree of confidence undeclared nuclear
2 activities by a Member State.

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

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

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

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

18 (iii) being prevented from hosting
19 meetings.

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

1 (4) PENALTIES WITH RESPECT TO THE NU-
2 CLEAR NONPROLIFERATION TREATY.—The Presi-
3 dent shall direct the United States Permanent Rep-
4 resentative to the IAEA to use the voice, vote, and
5 influence of the United States at the IAEA to en-
6 sure that a Member State of the IAEA that is found
7 to be in breach of, in noncompliance with, or has
8 withdrawn from the Nuclear Nonproliferation Treaty
9 shall return to the IAEA all nuclear materials and
10 technology received from the IAEA, any Member
11 State of the IAEA, or any Member State of the Nu-
12 clear Nonproliferation Treaty.

13 (b) UNITED STATES CONTRIBUTIONS.—

14 (1) VOLUNTARY CONTRIBUTIONS.—Voluntary
15 contributions of the United States to the IAEA
16 should primarily be used to fund activities relating
17 to nuclear safety and security or activities relating
18 to nuclear verification.

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

23 (A) ensure that funds for safeguards in-
24 spections are prioritized for countries that have

1 newly established nuclear programs or are initi-
2 ating nuclear programs; and

3 (B) block the allocation of funds for any
4 other IAEA development, environmental, or nu-
5 clear science assistance or activity to a coun-
6 try—

7 (i) the government of which the Sec-
8 retary has determined, for purposes of sec-
9 tion 6(j) of the Export Administration Act
10 of 1979, section 620A of the Foreign As-
11 sistance Act of 1961, section 40 of the
12 Arms Export Control Act, or other provi-
13 sion of law, is a government that has re-
14 peatedly provided support for acts of inter-
15 national terrorism and which the Secretary
16 has determined has not dismantled its
17 weapons of mass destruction programs and
18 surrendered all related materials under
19 international verification;

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

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

4 (3) DETAIL OF EXPENDITURES.—The Presi-
5 dent shall direct the United States Permanent Rep-
6 resentative to the IAEA to use the voice, vote, and
7 influence of the United States at the IAEA to se-
8 cure, as part of the regular budget presentation of
9 the IAEA to Member States of the IAEA, a detailed
10 breakdown by country of expenditures of the IAEA
11 for safeguards inspections and nuclear security ac-
12 tivities.

13 (c) MEMBERSHIP.—

14 (1) IN GENERAL.—The President shall direct
15 the United States Permanent Representative to the
16 IAEA to use the voice, vote, and influence of the
17 United States at the IAEA to block the membership
18 on the Board of Governors of the IAEA of a Mem-
19 ber State of the IAEA that has not signed and rati-
20 fied the Additional Protocol and—

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

1 (B) that is in violation of its IAEA obliga-
2 tions or the purposes and principles of the
3 Charter of the United Nations.

4 (2) CRITERIA.—The United States Permanent
5 Representative to the IAEA shall make every effort
6 to modify the criteria for Board membership to re-
7 flect the principles described in paragraph (1).

8 (d) SMALL QUANTITIES PROTOCOL.—The President
9 shall direct the United States Permanent Representative
10 to the IAEA to use the voice, vote, and influence of the
11 United States at the IAEA to make every effort to ensure
12 that the IAEA changes the policy regarding the Small
13 Quantities Protocol in order to—

14 (1) rescind and eliminate the Small Quantities
15 Protocol;

16 (2) require that any IAEA Member State that
17 has previously signed a Small Quantities Protocol to
18 sign, ratify, and implement the Additional Protocol,
19 provide immediate access for IAEA inspectors to its
20 nuclear-related facilities, and agree to the strongest
21 inspections regime of its nuclear efforts; and

22 (3) require that any IAEA Member State that
23 does not comply with paragraph (2) to be ineligible
24 to receive nuclear material, technology, equipment,
25 or assistance from any IAEA Member State and

1 subject to the penalties described in subsection
2 (a)(3).

3 (e) NUCLEAR PROGRAM OF IRAN.—

4 (1) UNITED STATES ACTION.—The President
5 shall direct the United States Permanent Represent-
6 ative to the IAEA to use the voice, vote, and influ-
7 ence of the United States at the IAEA to make
8 every effort to ensure the adoption of a resolution by
9 the IAEA Board of Governors that, in addition to
10 the restrictions already imposed, makes Iran ineli-
11 gible to receive any nuclear material, technology,
12 equipment, or assistance from any IAEA Member
13 State and ineligible for any IAEA assistance not re-
14 lated to safeguards inspections or nuclear security
15 until the IAEA Board of Governors determines that
16 Iran—

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

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

21 (C) has permanently ceased and disman-
22 tled all activities and programs related to nu-
23 clear-enrichment and reprocessing.

24 (2) PENALTIES.—If an IAEA Member State is
25 determined to have violated the prohibition on as-

1 sistance to Iran described in paragraph (1) before
2 the IAEA Board of Governors determines that Iran
3 has satisfied the conditions described in subpara-
4 graphs (A) through (C) of such paragraph, such
5 Member State shall be subject to the penalties de-
6 scribed in subsection (a)(3), shall be ineligible to re-
7 ceive nuclear material, technology, equipment, or as-
8 sistance from any IAEA Member State, and shall be
9 ineligible to receive any IAEA assistance not related
10 to safeguards inspections or nuclear security until
11 such time as the IAEA Board of Governors makes
12 such determination with respect to Iran.

13 (f) REPORT.—Not later than 180 days after the date
14 of the enactment of this Act, and annually for 2 years
15 thereafter, the President shall submit to the appropriate
16 congressional committees a report on the implementation
17 of this section.

18 **SEC. 803. SENSE OF CONGRESS REGARDING THE NUCLEAR**
19 **SECURITY ACTION PLAN OF THE IAEA.**

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

TITLE IX—PEACEKEEPING

SEC. 901. POLICY RELATING TO REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.

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

(1) PLANNING AND MANAGEMENT.—

(A) GLOBAL AUDIT.—As the size, cost, and number of United Nations peacekeeping operations have increased substantially over the past decade, independent audits of each such operation should be conducted annually, with a view toward “right-sizing” operations and ensuring that all operations are efficient and cost effective.

(B) PROCUREMENT AND TRANSPARENCY.—The logistics established within the United Nations Department of Field Support should be streamlined and strengthened to ensure that all peacekeeping missions are resourced appropriately, transparently, and in a timely fashion while individual accountability for waste, fraud, and abuse within United Nations peacekeeping missions is uniformly enforced.

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

11 (i) Except in extraordinary cases, in-
12 cluding genocide, the United Nations De-
13 partment of Peacekeeping Operations
14 should not be tasked with activities that
15 are impractical or unachievable without the
16 cooperation of the Member State(s)
17 hosting a United Nations peacekeeping op-
18 eration, or which amount to de-facto trust-
19 eeship outside of the procedures estab-
20 lished for such under Chapter XII of the
21 United Nations Charter, thereby creating
22 unrealistic expectations and obfuscating
23 the primary responsibility of the Member
24 States themselves for creating and main-
25 taining conditions for peace.

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

4 (iii) Where there is legitimate concern
 5 that the withdrawal from a country of an
 6 otherwise static United Nations peace-
 7 keeping operation would result in the re-
 8 sumption of major conflict, a burden-shar-
 9 ing arrangement that reduces the level of
 10 assessed contributions, similar to that cur-
 11 rently supporting the United Nations
 12 Peacekeeping Force in Cyprus, should be
 13 explored and instituted.

14 (D) LEADERSHIP.—As peacekeeping oper-
 15 ations become larger and increasingly complex,
 16 the Secretariat should adopt a minimum stand-
 17 ard of qualifications for senior leaders and
 18 managers, with particular emphasis on specific
 19 skills and experience, and current senior leaders
 20 and managers who do not meet those standards
 21 should be removed.

22 (E) PRE-DEPLOYMENT TRAINING.—Pre-de-
 23 ployment training on interpretation of the man-
 24 date of the operation, specifically in the areas
 25 of use of force, civilian protection and field con-

1 ditions, the Code of Conduct, HIV/AIDS, and
 2 human rights should be mandatory, and all per-
 3 sonnel, regardless of category or rank, should
 4 be required to sign an oath that each has re-
 5 ceived and understands such training as a con-
 6 dition of participation in the operation.

7 (F) GRATIS MILITARY PERSONNEL.—The
 8 General Assembly should seek to strengthen the
 9 capacity the United Nations Department of
 10 Peacekeeping Operations and ease the extraor-
 11 dinary burden currently placed upon the limited
 12 number of headquarters staff by lifting restric-
 13 tions on the utilization of gratis military per-
 14 sonnel by the Department so that the Depart-
 15 ment may accept secondments from Member
 16 States of military personnel with expertise in
 17 mission planning, logistics, and other oper-
 18 ational specialties.

19 (2) CONDUCT AND DISCIPLINE.—

20 (A) ADOPTION OF A UNIFORM CODE OF
 21 CONDUCT.—A single, uniform Code of Conduct
 22 that has the status of a binding rule and ap-
 23 plies equally to all personnel serving in United
 24 Nations peacekeeping operations, regardless of
 25 category or rank, including military personnel,

1 should be adopted and incorporated into legal
2 documents governing participation in such an
3 operation, including all contracts and Memorandums of Understanding, promulgated and effectively enforced.

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

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

19 (ii) all personnel, regardless of category or rank, should sign an oath that
20 each has received a copy of the Code of
21 Conduct, that each pledges to abide by the
22 Code of Conduct, and that each understands the consequences of violating the
23 Code of Conduct, including immediate ter-

mination of participation in and permanent exclusion from all current and future peacekeeping operations, as well as the assumption of personal liability and victims compensation, where appropriate, as a condition of appointment to any such operation; and

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

(C) MONITORING MECHANISMS.—Dedicated monitoring mechanisms, such as the Conduct and Discipline Teams already deployed to support most United Nations peacekeeping operations, should be present in each operation to monitor compliance with the Code of Conduct, and should report simultaneously to the Head

1 of Mission, the United Nations Department of
2 Field Support, the United Nations Department
3 of Peacekeeping Operations, and the Associate
4 Director of the Office of Internal Oversight
5 Services for Peacekeeping Operations.

6 (D) INVESTIGATIONS.—A permanent, pro-
7 fessional, and independent investigative body
8 should be established and introduced into
9 United Nations peacekeeping operations. In
10 particular:

11 (i) The investigative body should in-
12 clude professionals with experience in in-
13 vestigating sex crimes and the illegal ex-
14 ploitation of resources, as appropriate, as
15 well as experts who can provide guidance
16 on standards of proof and evidentiary re-
17 quirements necessary for any subsequent
18 legal action.

19 (ii) Provisions should be included in
20 all Memorandums of Understanding, in-
21 cluding a Model Memorandum of Under-
22 standing, that obligate Member States that
23 contribute troops to a peacekeeping oper-
24 ation to designate a military prosecutor
25 who will participate in any investigation

1 into credible allegations of misconduct
2 brought against an individual of such
3 Member State, so that evidence is collected
4 and preserved in a manner consistent with
5 the military law of such Member State.

6 (iii) The investigative body should be
7 regionally based to ensure rapid deploy-
8 ment and should be equipped with modern
9 forensics equipment for the purpose of
10 positively identifying perpetrators and,
11 where necessary, for determining paternity.

12 (iv) The investigative body should re-
13 port directly to the Associate Director of
14 the Office of Internal Oversight Services
15 for Peacekeeping Operations, while pro-
16 viding copies of any reports to the Depart-
17 ment of Field Support, the Department of
18 Peacekeeping Operations, the Head of Mis-
19 sion, and the Member State concerned.

20 (E) FOLLOW-UP.—The Conduct and Dis-
21 cipline Unit in the headquarters of the United
22 Nations Department of Field Support should be
23 appropriately staffed, resourced, and tasked
24 with—

1 (i) promulgating measures to prevent
2 misconduct;

3 (ii) receiving reports by field per-
4 sonnel and coordinating the Department's
5 response to allegations of misconduct;

6 (iii) gathering follow-up information
7 on completed investigations, particularly by
8 focusing on disciplinary actions against the
9 individual concerned that have been taken
10 by the United Nations or by the individ-
11 ual's Member State, and sharing such in-
12 formation with the Security Council, the
13 Department of Peacekeeping Operations,
14 the Head of Mission, and the community
15 hosting the peacekeeping operation; and

16 (iv) contributing pertinent data on
17 conduct and discipline to the database re-
18 quired pursuant to subparagraph (H).

19 (F) FINANCIAL LIABILITY AND VICTIMS
20 ASSISTANCE.—Although peacekeeping oper-
21 ations should provide immediate medical assist-
22 ance to victims of sexual abuse or exploitation,
23 the responsibility for providing longer-term
24 treatment, care, or restitution lies solely with

1 the individual found guilty of the misconduct.

2 In particular:

3 (i) The United Nations should not as-
4 sume responsibility for providing long-term
5 treatment or compensation under the Sex-
6 ual Exploitation and Abuse Victim Assist-
7 ance Mechanism by utilizing assessed con-
8 tributions to United Nations peacekeeping
9 operations, thereby shielding individuals
10 from personal liability and reinforcing an
11 atmosphere of impunity.

12 (ii) If an individual responsible for
13 misconduct has been repatriated, reas-
14 signed, redeployed, or is otherwise unable
15 to provide assistance, responsibility for
16 providing assistance to a victim should be
17 assigned to the Member State that contrib-
18 uted the contingent to which such indi-
19 vidual belonged or to the manager con-
20 cerned.

21 (iii) In the case of misconduct by a
22 member of a military contingent, appro-
23 priate funds shall be withheld from the
24 troop contributing country concerned.

1 (iv) In the case of misconduct by a ci-
2 vilian employee or contractor of the United
3 Nations, appropriate wages shall be gar-
4 nished from such individual or fines shall
5 be imposed against such individual, con-
6 sistent with existing United Nations Staff
7 Rules, and retirement funds shall not be
8 shielded from liability.

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

19 (H) DATABASE.—A centralized database,
20 including personnel photos, fingerprints, and bi-
21 ometric data, should be created and maintained
22 within the United Nations Department of
23 Peacekeeping Operations, the Department of
24 Field Support, and other relevant United Na-
25 tions bodies without further delay to track cases

1 of misconduct, including the outcome of inves-
2 tigations and subsequent prosecutions, to en-
3 sure that personnel who have engaged in mis-
4 conduct or other criminal activities, regardless
5 of category or rank, are permanently barred
6 from participation in future peacekeeping oper-
7 ations.

8 (I) COOPERATION OF MEMBER STATES.—

9 If a Member State routinely refuses to cooper-
10 ate with the directives contained herein or acts
11 to shield its nationals from personal liability,
12 that Member State should be barred from con-
13 tributing troops or personnel to future peace-
14 keeping operations.

15 (J) WELFARE.—Peacekeeping operations
16 should continue to seek to maintain a minimum
17 standard of welfare for mission personnel to
18 ameliorate conditions of service, while adjust-
19 ments are made to the discretionary welfare
20 payments currently provided to Member States
21 that contribute troops to offset the cost of oper-
22 ation-provided recreational facilities, as nec-
23 essary and appropriate.

1 **SEC. 902. CERTIFICATION.**

2 (a) NEW OR EXPANDED PEACEKEEPING OPER-
3 ATIONS CONTINGENT UPON PRESIDENTIAL CERTIFI-
4 CATION OF PEACEKEEPING OPERATIONS REFORMS.—

5 (1) NO NEW OR EXPANDED PEACEKEEPING OP-
6 ERATIONS.—

7 (A) CERTIFICATION.—Except as provided
8 in subparagraph (B), until the Secretary cer-
9 tifies that the requirements described in para-
10 graph (2) have been satisfied, the President
11 shall direct the United States Permanent Rep-
12 resentative to the United Nations to use the
13 voice, vote, and influence of the United States
14 at the United Nations to oppose the creation of
15 new, or the expansion of existing, United Na-
16 tions peacekeeping operations.

17 (B) EXCEPTION AND NOTIFICATION.—The
18 requirements described under paragraph (2)
19 may be waived with respect to a particular
20 peacekeeping operation if the President deter-
21 mines that failure to deploy new or additional
22 peacekeepers in such situation will significantly
23 contribute to the widespread loss of human life,
24 genocide, or the endangerment of a vital na-
25 tional security interest of the United States. If
26 the President makes such a determination, the

1 President shall, not later than 15 days before
2 the exercise of such waiver, notify the appro-
3 priate congressional committees of such deter-
4 mination and resulting waiver.

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 duly incorporated into all
20 contracts and a Model Memorandum of Under-
21 standing, and mechanisms have been estab-
22 lished for training such personnel concerning
23 the requirements of the Code and enforcement
24 of the Code.

1 (B) All personnel, regardless of category or
2 rank, serving in a peacekeeping operation have
3 been trained concerning the requirements of the
4 Code of Conduct and each has been given a per-
5 sonal copy of the Code, translated into the na-
6 tional language of such personnel.

7 (C) All personnel, regardless of category or
8 rank, are required to sign an oath that each has
9 received a copy of the Code of Conduct, that
10 each pledges to abide by the Code, and that
11 each understands the consequences of violating
12 the Code, including immediate termination of
13 participation in and permanent exclusion from
14 all current and future peacekeeping operations,
15 as well as the assumption of personal liability
16 for victims compensation as a condition of the
17 appointment to such operation.

18 (D) All peacekeeping operations have de-
19 signed and implemented educational outreach
20 programs to reach local communities where
21 peacekeeping personnel of such operations are
22 based to explain prohibited acts on the part of
23 United Nations peacekeeping personnel and to
24 identify the individual to whom the local popu-
25 lation may direct complaints or file allegations

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

3 (E) The creation of a centralized database,
4 including personnel photos, fingerprints, and bi-
5 ometric data, has been completed and is being
6 maintained in the United Nations Department
7 of Peacekeeping Operations that tracks cases of
8 misconduct, including the outcomes of inves-
9 tigations and subsequent prosecutions, to en-
10 sure that personnel, regardless of category or
11 rank, who have engaged in misconduct or other
12 criminal activities are permanently barred from
13 participation in future peacekeeping operations.

14 (F) A Model Memorandum of Under-
15 standing between the United Nations and each
16 Member State that contributes troops to a
17 peacekeeping operation has been adopted by the
18 United Nations Department of Peacekeeping
19 Operations that specifically obligates each such
20 Member State to—

21 (i) uphold the uniform Code of Con-
22 duct which shall apply equally to all per-
23 sonnel serving in United Nations peace-
24 keeping operations, regardless of category
25 or rank;

1 (ii) designate a competent legal au-
2 thority, preferably a prosecutor with exper-
3 tise in the area of sexual exploitation and
4 abuse where appropriate, to participate in
5 any investigation into an allegation of mis-
6 conduct brought against an individual of
7 such Member State;

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

14 (iv) report to the Department of Field
15 Support and the Department of Peace-
16 keeping Operations on the outcome of any
17 such investigation;

18 (v) undertake to conduct on-site court
19 martial proceedings, where practical and
20 appropriate, relating to allegations of mis-
21 conduct alleged against an individual of
22 such Member State; and

23 (vi) assume responsibility for the pro-
24 vision of appropriate assistance to a victim

1 of misconduct committed by an individual
 2 of such Member State.

3 (G) A professional and independent inves-
 4 tigative and audit function has been established
 5 within the United Nations Department of
 6 Peacekeeping Operations and the Office of In-
 7 ternal Oversight Services to monitor United
 8 Nations peacekeeping operations.

9 **TITLE X—REPORTING** 10 **REQUIREMENTS**

11 **SEC. 1001. REPORT ON UNITED NATIONS REFORM.**

12 Section 4 of the United Nations Participation Act of
 13 1945 (22 U.S.C. 287b(c)(3)) is amended—

14 (1) by redesignating subparagraph (C) as sub-
 15 paragraph (R); and

16 (2) by inserting after subparagraph (B) the fol-
 17 lowing new subparagraphs:

18 “(C) A description of progress toward the
 19 goal of shifting funding for the regular budget
 20 of the United Nations to voluntary funding as
 21 described in section 101 of the United Nations
 22 Transparency, Accountability, and Reform Act
 23 of 2013, and a detailed description of efforts
 24 and activities by United States diplomats and
 25 officials toward that end.

1 “(D) A description of progress toward each
2 of the policy goals identified in title I of the
3 United Nations Transparency, Accountability,
4 and Reform Act of 2013, and a detailed, goal-
5 specific description of efforts and activities by
6 United States diplomats and officials toward
7 those ends.

8 “(E) A description of the status of the im-
9 plementation of management reforms within the
10 United Nations and its specialized entities.

11 “(F) An accounting of the number of out-
12 puts, reports, or other mandates generated by
13 General Assembly and Security Council resolu-
14 tions, a description of the status of the review
15 by the General Assembly of all mandates older
16 than 5 years and how resources have been redi-
17 rected to new challenges, and the number of
18 mandates that have been eliminated since the
19 date of the enactment of the United Nations
20 Transparency, Accountability, and Reform Act
21 of 2013.

22 “(G) A description of the progress of the
23 General Assembly to modernize and streamline
24 the committee structure and its specific rec-
25 ommendations on oversight and committee out-

1 puts, consistent with the March 2005 report of
2 the Secretary-General entitled ‘In Larger Free-
3 dom: Towards Development, Security and
4 Human Rights for All’.

5 “(H) An assessment of the continued util-
6 ity and relevance of the Economic and Finan-
7 cial Committee and the Social, Humanitarian,
8 and Cultural Committee, in light of the duplica-
9 tive agendas of those committees and the Eco-
10 nomic and Social Council.

11 “(I) An examination of whether the United
12 Nations or any of its specialized agencies has
13 contracted with any party included on the List
14 of Parties Excluded from Federal Procurement
15 and Nonprocurement Programs.

16 “(J) A description of progress made by the
17 General Assembly in modernizing human re-
18 source practices, consistent with the report de-
19 scribed in subparagraph (G).

20 “(K) A comprehensive evaluation of human
21 resources reforms at the United Nations, in-
22 cluding an evaluation of—

23 “(i) tenure;

24 “(ii) performance reviews;

25 “(iii) the promotion system;

1 “(iv) a merit-based hiring system and
2 enhanced regulations concerning termi-
3 nation of employment; and

4 “(v) the adoption and implementation
5 of a United Nations systemwide code of
6 conduct and ethics training.

7 “(L) A description of the implementation
8 at the United Nations of a system of proce-
9 dures for filing complaints and protective meas-
10 ures for workplace harassment, including sexual
11 harassment.

12 “(M) Policy recommendations relating to
13 the establishment at the United Nations of a
14 rotation requirement for nonadministrative po-
15 sitions.

16 “(N) Policy recommendations relating to
17 the establishment of limitations on the transfer
18 of personnel and officials assigned to the mis-
19 sion of a member state to the United Nations
20 to positions within the United Nations Secre-
21 tariat that are compensated at the P-5 level
22 and above.

23 “(O) Policy recommendations relating to a
24 reduction in travel allowances for United Na-

1 tions personnel and attendant oversight with re-
2 spect to accommodations and airline flights.

3 “(P) An evaluation of the recommenda-
4 tions of the Secretary-General relating to great-
5 er flexibility for the Secretary-General in staff-
6 ing decisions to accommodate changing prior-
7 ities.”.

8 **SEC. 1002. REPORT ON UNITED STATES CONTRIBUTIONS TO**
9 **THE UNITED NATIONS.**

10 (a) IN GENERAL.—Not later than 90 days after the
11 date of the enactment of this Act, and annually thereafter,
12 the Director of the Office of Management and Budget
13 shall submit to Congress a report on all assessed and vol-
14 untary contributions, including in-kind, of the United
15 States Government to the United Nations and its affili-
16 ated agencies and related bodies during the previous fiscal
17 year.

18 (b) CONTENT.—The report required under subsection
19 (a) shall include the following elements:

20 (1) The total amount of all assessed and vol-
21 untary contributions, including in-kind, of the
22 United States Government to the United Nations
23 and United Nations affiliated agencies and related
24 bodies.

1 (2) The approximate percentage of United
2 States Government contributions to each United Na-
3 tions affiliated agency or body in such fiscal year
4 when compared with all contributions to such agency
5 or body from any source in such fiscal year.

6 (3) For each such contribution—

7 (A) the amount of the contribution;

8 (B) a description of the contribution (in-
9 cluding whether assessed or voluntary);

10 (C) the department or agency of the
11 United States Government responsible for the
12 contribution;

13 (D) the purpose of the contribution; and

14 (E) the United Nations or United Nations
15 affiliated agency or related body receiving the
16 contribution.

17 (c) PUBLIC AVAILABILITY OF INFORMATION.—Not
18 later than 14 days after submitting a report required
19 under subsection (a), the Director of the Office of Man-
20 agement and Budget shall post a public version of the re-
21 port on a text-based, searchable, and publicly available
22 Internet website.

1 **SEC. 1003. REPORT TO CONGRESS ON VOTING PRACTICES**
2 **IN THE UNITED NATIONS.**

3 Section 406(b) of the Foreign Relations Authoriza-
4 tion Act, Fiscal Years 1990 and 1991 (22 U.S.C.
5 2414a(b)) is amended—

6 (1) in paragraph (5), by striking “; and” and
7 inserting a semicolon;

8 (2) in paragraph (6), by striking the period at
9 the end and inserting “; and”; and

10 (3) by adding at the end the following new
11 paragraph:

12 “(7) a table detailing the amount of direct
13 United States foreign assistance provided to each
14 member country alongside a voting comparison as
15 described in paragraph (5).”.

○