

105TH CONGRESS
1ST SESSION

H. R. 1588

To prohibit the payment of any arrearages for prior years in the assessed contributions of the United States to the United Nations until certain reforms in the United Nations have been implemented and a certification of such reforms has been approved by the Congress.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 1997

Mr. SNOWBARGER (for himself, Mr. COBURN, Mr. HASTINGS of Washington, Mr. PITTS, Mr. WELDON of Florida, Mr. PETERSON of Pennsylvania, Mrs. NORTHUP, Mr. DICKEY, Mr. JONES, Mr. LEWIS of Kentucky, Mr. BARTLETT of Maryland, Mr. GRAHAM, Mr. HILLEARY, Mr. RYUN, and Mr. TIAHRT) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit the payment of any arrearages for prior years in the assessed contributions of the United States to the United Nations until certain reforms in the United Nations have been implemented and a certification of such reforms has been approved by the Congress.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “United Nations Ac-
3 countability Act of 1997”.

4 **SEC. 2. PROHIBITION OF PAYMENT OF ARREARAGES TO**
5 **UNITED NATIONS.**

6 Until a certification by the President of reforms in
7 the United Nations under section 3 is transmitted to the
8 Congress and the certification is approved by the Congress
9 through enactment of a joint resolution in accordance with
10 section 4, and notwithstanding any other provision of law,
11 funds appropriated or otherwise made available for any
12 fiscal year under “Contributions to International Organi-
13 zations”, “Contributions for International Peacekeeping”,
14 or any other account shall not be available for the payment
15 of any assessed contribution of the United States for prior
16 years to the United Nations.

17 **SEC. 3. CERTIFICATION BY THE PRESIDENT OF UNITED NA-**
18 **TIONS REFORMS.**

19 The certification referred to in section 2 is a certifi-
20 cation (with supporting documentation) by the President
21 to the Congress that the United Nations has implemented
22 all of the following reforms:

23 (1) ASSESSED PAYMENT REFORMULATION.—

24 (A) The assessed payment of the United
25 States to the United Nations for each year has

1 been lowered to 20 percent of the budget of the
2 United Nations, or

3 (B) The United Nations has reformulated
4 each member state's assessed level to reflect
5 each state's share of the total world gross na-
6 tional product.

7 (2) CODE OF CONDUCT.—The United Nations
8 has implemented a code of conduct for all employees
9 of the United Nations. The code of conduct shall
10 specify that no United Nations official, including the
11 Secretary General, shall be permitted to engage in
12 business activities outside the United Nations, or
13 provide any relative with access to United Nations
14 procurement contracts, or take bribes, directly or in-
15 directly, from individuals or corporations doing busi-
16 ness with the United Nations or from United Na-
17 tions member states or their representatives.

18 (3) INSPECTOR GENERAL OF THE UNITED NA-
19 TIONS.—The Office of Inspector General of the
20 United Nations has been strengthened as follows:

21 (A) The United Nations has a truly inde-
22 pendent office of inspector general to conduct
23 and supervise objective audits, inspections, and
24 investigations relating to programs and oper-
25 ations of the United Nations. The office shall

1 be financed under a separate line item in the
2 budget of the United Nations and shall function
3 independently of the Secretary General.

4 (B) The United Nations has an inspector
5 general who is selected and elected by the Gen-
6 eral Assembly for a term of 3 years and whose
7 appointment was made principally on the basis
8 of the appointee's integrity and demonstrated
9 ability in accounting, auditing, financial analy-
10 sis, law, management analysis, public adminis-
11 tration, or investigation. The inspector general
12 may be removed only for cause by the Secretary
13 General with the approval of the General As-
14 sembly.

15 (C) The inspector general is authorized
16 to—

17 (i) make investigations and reports re-
18 lating to the administration of the pro-
19 grams and operations of the United Na-
20 tions;

21 (ii) have access to all relevant records,
22 documents, and other available materials
23 relating to those programs and operations;
24 and

1 (iii) have direct and prompt access to
2 any official of the United Nations.

3 (D) The United Nations has fully imple-
4 mented, and made available to all member
5 states, procedures designed to protect the iden-
6 tity of, and prevent reprisals against, any em-
7 ployee of the United Nations making a com-
8 plaint or disclosing information to, or cooperat-
9 ing in any investigation or inspection by, the in-
10 spector general.

11 (E) The United Nations has fully imple-
12 mented procedures designed to ensure compli-
13 ance with recommendations of the inspector
14 general.

15 (F) The United Nations has required the
16 inspector general to issue an annual report and
17 has ensured that the annual report and all
18 other relevant reports of the inspector general
19 are made available to the member governments
20 of the United Nations General Assembly with-
21 out modification.

22 (G) The United Nations is committed to
23 providing sufficient budgetary resources to en-
24 sure the effective operation of the office of the
25 inspector general.

1 (4) EMPLOYEE PROTECTION.—The existing
2 United Nations grievance system has been thor-
3 oughly reformed to permit United Nations employees
4 to hire outside counsel for taking their grievances up
5 the United Nations grievance ladder to the top Unit-
6 ed Nations grievance appeals level. It should also be
7 made amply clear for civil lawyers and judges in
8 each member state that United Nations officials' im-
9 munity from civil process applies only to actions per-
10 formed in the strict fulfillment of United Nations of-
11 ficial duties and never to abuses in violation of an
12 extensive United Nations code of conduct, United
13 Nations employees having the right and option in
14 such cases any time to exit the United Nations
15 grievance process and sue in a civil court.

16 (5) PROCUREMENT REFORMS.—

17 (A) The United Nations has implemented
18 a system requiring at least 30 days prior notifi-
19 cation for the submission of all qualified bid
20 proposals on all United Nations procurement
21 opportunities of more than \$100,000 and a
22 public announcement of the award of any con-
23 tract of more than \$100,000 (except in justified
24 and documented emergencies).

1 (B) To the extent practicable, notifications
2 and announcements under subparagraph (A)
3 are made in the Commerce Business Daily.

4 (C) The procurement regulations of the
5 United Nations prohibit punitive actions such
6 as the suspension of contract eligibility for con-
7 tractors who challenge contract awards or com-
8 plain about delayed payments.

9 (6) WHISTLEBLOWER PROTECTION.—The Unit-
10 ed Nations has implemented whistleblower protection
11 for employees of the United Nations that—

12 (A) protects employees who allege or re-
13 port instances of fraud or mismanagement, and

14 (B) the independent Office of the Inspector
15 General has reviewed the policies and regula-
16 tions under subparagraph (A) and determined,
17 in writing, that they offer adequate safeguards
18 against retaliation for such employees, and that
19 the United Nations employee grievance system
20 outlined in paragraph (4)(C)(ii) has been re-
21 formed and the reforms implemented.

22 (7) NO GROWTH BUDGET.—The United Nations
23 has adopted a calendar year 2000–2001 biennial
24 budget that requires no nominal growth, in dollars,
25 in expenditures.

1 (8) DOWNSIZING.—The United Nations has
2 continued to downsize the number of authorized em-
3 ployment positions, including a reduction of not less
4 than 10 percent in the number of full-time perma-
5 nent authorized employment positions from the
6 number of such positions authorized on January 1,
7 1997. Acceptable downsizing may not include early
8 detachment from United Nations service with full
9 pay until retirement age is reached, nor may it in-
10 clude the hiring of consultants to replace employees
11 detached early with full pay or those replaced by
12 temporary employees on short-term contracts.

13 (9) SALARIES.—The United Nations has im-
14 posed a freeze on salaries of employees of the United
15 Nations which allows only for annual increases not
16 greater than any annual increase in the United
17 States consumer price index.

18 (10) REPRESENTATION ON ADVISORY COMMIT-
19 TEE ON ADMINISTRATIVE AND BUDGET QUES-
20 TIONS.—The 8 member states which are the highest
21 contributors to the budget of the United Nations
22 shall be permanent members of the Advisory Com-
23 mittee on Administrative and Budget Questions.

24 (11) ACCESS TO DOCUMENTS.—Require access
25 by any member state of the United Nations Budget

1 Committee (also known as the Fifth Committee) to
2 any document concerning any United Nations pro-
3 gram that involves expenditures.

4 (12) ANNUAL REAUTHORIZATION OF PEACE-
5 KEEPING MISSIONS.—The United Nations requires
6 an annual review and reauthorization of any peace-
7 keeping missions by the United Nations Security
8 Council.

9 (13) REIMBURSEMENT FOR UNITED STATES
10 DEPARTMENT OF DEFENSE PEACEKEEPING EXPEND-
11 ITURES.—The United Nations has reimbursed the
12 United States Department of Defense for voluntary
13 contributions to United Nations peacekeeping mis-
14 sions and the United Nations and the United States
15 have entered into an agreement that calls for United
16 Nations reimbursement for any future voluntary
17 contributions by the United States Department of
18 Defense, whether they be financial, logistical, or ma-
19 terial.

20 (14) UNITED STATES ARREARAGES.—The Unit-
21 ed Nations and the United States have mutually de-
22 termined an amount that will satisfy any and all ar-
23 rearages of the United States in assessed contribu-
24 tions for prior years.

1 (15) NOMINATIONS TO SECURITY COUNCIL.—
2 All member states of the United Nations belong to
3 a regional group that allows each member state to
4 be nominated to the Security Council.

5 (16) UNITED NATIONS TAXES.—The United
6 Nations has abandoned any effort to establish an
7 international tax or any other international fee or
8 assessment imposed by the United Nations (other
9 than the assessed contributions of member states of
10 the United Nations and associated organs).

11 (17) NONINTERFERENCE WITH RELIGIOUS BE-
12 LIEF, CULTURE, OR TRADITION.—Neither the Unit-
13 ed Nations nor any affiliated agency or entity is en-
14 gaged in any program or activity that threatens to
15 interfere with the religion, moral values, culture, or
16 traditions of any person or group, except insofar as
17 is strictly necessary for the protection of fundamen-
18 tal and internationally recognized human rights.

19 **SEC. 4. CONGRESSIONAL APPROVAL OF PRESIDENTIAL**
20 **CERTIFICATION.**

21 (a) TERMS OF THE RESOLUTION.—For purposes of
22 section 2, the term “joint resolution” means only a joint
23 resolution which is enacted within the 30-legislative day
24 period beginning on the date on which the President trans-

1 mits the certification (and supporting documentation) to
2 the Congress under this Act, and—

3 (1) which does not have a preamble;

4 (2) the matter after the resolving clause of
5 which is as follows: “That Congress approves the
6 certification of the President regarding reforms in
7 the United Nations.”; and

8 (3) the title of which is as follows: “Joint reso-
9 lution approving the certification of the President re-
10 garding reforms in the United Nations.”.

11 (b) REFERRAL.—A resolution described in subsection
12 (a) that is introduced in the House of Representatives
13 shall be referred to the Committee on International Rela-
14 tions and the Committee on Appropriations of the House
15 of Representatives. A resolution described in subsection
16 (a) introduced in the Senate shall be referred to the Com-
17 mittee on Foreign Relations and the Committee on Appro-
18 priations of the Senate.

19 (c) DISCHARGE.—If the committee to which a resolu-
20 tion described in subsection (a) is referred has not re-
21 ported such resolution (or an identical resolution) by the
22 end of the 15 legislative-day period beginning on the date
23 on which the President transmits the certification to the
24 Congress under section 2, such committee shall be, at the
25 end of such period, discharged from further consideration

1 of such resolution, and such resolution shall be placed on
2 the appropriate calendar of the House involved.

3 (d) CONSIDERATION.—(1) On or after the third legis-
4 lative day after the date on which the committee to which
5 such a resolution is referred has reported, or has been dis-
6 charged (under subsection (c)) from further consideration
7 of, such a resolution, it is in order (even though a previous
8 motion to the same effect has been disagreed to) for any
9 Member of the respective House to move to proceed to
10 the consideration of the resolution. A Member may make
11 the motion only on the legislative day after the legislative
12 day on which the Member announces to the House con-
13 cerned the Member's intention to make the motion, except
14 that, in the case of the House of Representatives, the mo-
15 tion may be made without such prior announcement if the
16 motion is made by direction of the committee to which
17 the resolution was referred. All points of order against the
18 resolution (and against consideration of the resolution) are
19 waived. The motion is highly privileged in the House of
20 Representatives and is privileged in the Senate and is not
21 debatable. The motion is not subject to amendment, or
22 to a motion to postpone, or to a motion to proceed to the
23 consideration of other business. A motion to reconsider the
24 vote by which the motion is agreed to or disagreed to shall
25 not be in order. If a motion to proceed to the consideration

1 of the resolution is agreed to, the respective House shall
2 immediately proceed to consideration of the joint resolu-
3 tion without intervening motion, order, or other business,
4 and the resolution shall remain the unfinished business of
5 the respective House until disposed of.

6 (2) Debate on the resolution, and on all debatable
7 motions and appeals in connection therewith, shall be lim-
8 ited to not more than 2 hours, which shall be divided
9 equally between those favoring and those opposing the res-
10 olution. An amendment to the resolution is not in order.
11 A motion further to limit debate is in order and not debat-
12 able. A motion to postpone, or a motion to proceed to the
13 consideration of other business, or a motion to recommit
14 the resolution is not in order. A motion to reconsider the
15 vote by which the resolution is agreed to or disagreed to
16 is not in order.

17 (3) Immediately following the conclusion of the de-
18 bate on a resolution described in subsection (a) and a sin-
19 gle quorum call at the conclusion of the debate if re-
20 quested in accordance with the rules of the appropriate
21 House, the vote on final passage of the resolution shall
22 occur.

23 (4) Appeals from the decisions of the Chair relating
24 to the application of the rules of the Senate or the House
25 of Representatives, as the case may be, to the procedure

1 relating to a resolution described in subsection (a) shall
2 be decided without debate.

3 (e) CONSIDERATION BY OTHER HOUSE.—(1) If, be-
4 fore the passage by one House of a resolution of that
5 House described in subsection (a), that House receives
6 from the other House a resolution described in subsection
7 (a), then the following procedures shall apply:

8 (A) The resolution of the other House shall not
9 be referred to a committee and may not be consid-
10 ered in the House receiving it except in the case of
11 final passage as provided in subparagraph (B)(ii).

12 (B) With respect to a resolution described in
13 subsection (a) of the House receiving the resolu-
14 tion—

15 (i) the procedure in that House shall be
16 the same as if no resolution had been received
17 from the other House; but

18 (ii) the vote on final passage shall be on
19 the resolution of the other House.

20 (2) Upon disposition of the resolution received from
21 the other House, it shall no longer be in order to consider
22 the resolution that originated in the receiving House.

23 (f) RULES OF THE SENATE AND HOUSE.—This sec-
24 tion is enacted by Congress—

1 (1) as an exercise of the rulemaking power of
2 the Senate and House of Representatives, respec-
3 tively, and as such it is deemed a part of the rules
4 of each House, respectively, but applicable only with
5 respect to the procedure to be followed in that
6 House in the case of a resolution described in sub-
7 section (a), and it supersedes other rules only to the
8 extent that it is inconsistent with such rules; and

9 (2) with full recognition of the constitutional
10 right of either House to change the rules (so far as
11 relating to the procedure of that House) at any time,
12 in the same manner, and to the same extent as in
13 the case of any other rule of that House.

14 (g) LEGISLATIVE DAY DEFINED.—For the purposes
15 of this section, the term “legislative day” means any cal-
16 endar day other than a day on which either House is not
17 in session.

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