

108TH CONGRESS
2D SESSION

H. R. 5375

To provide for increased accountability and transparency in the United Nations.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2004

Mr. HYDE (for himself and Mr. LANTOS) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To provide for increased accountability and transparency in the United Nations.

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.**

4 This Act may be cited as the “United Nations Ac-
5 countability Act of 2004”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) There have been allegations of mismanage-
9 ment, fraud, and corruption in the United Nations
10 Oil-for-Food program.

1 (2) The United Nations Office of Internal Over-
2 sight Services (OIOS) conducted audits of the
3 United Nations Oil-for-Food program.

4 (3) These OIOS audits identified mismanage-
5 ment and “uneconomical” arrangements in the con-
6 tract entered into by the United Nations for the pro-
7 vision of independent Oil-for-Food inspection agents
8 in Iraq, and observed that the contractor providing
9 inspection services in Iraq on behalf of the United
10 Nations “had not fully performed its contractual du-
11 ties”.

12 (4) The “overall conclusion” of the OIOS audit
13 was that “management of the Contract” had “not
14 been adequate and certain provisions of the contract
15 had not been adhered to”.

16 (5) Specifically, the OIOS audit concluded the
17 contractor failed to maintain inspection agents at
18 staffing levels required by the contract, overcharged
19 the United Nations, engaged in “unprofessional con-
20 duct”, and reported figures for goods as having ar-
21 rived that were vastly different than the figures re-
22 ported by the United Nations.

23 (6) The OIOS concluded that the United Na-
24 tions Office of Iraq Programs needed “to strengthen
25 its management of contracts”, had failed to des-

1 ignite anyone in Iraq to manage the contract, and
2 that in the “absence of a contract manager”, the
3 United Nations Office of Iraq Programs had “no as-
4 surance that the services provided were in con-
5 sonance with the spirit and letter of the contract”.

6 (7) It has been and continues to be the policy
7 and practice of the United Nations not to release
8 OIOS audit reports to member states.

9 (8) The United Nations has denied the United
10 States access to OIOS audits of the Oil-for-Food
11 Program both during and after the life of the pro-
12 gram, despite repeated requests by the United
13 States for access to such audits.

14 (9) The ability of member states to fulfill their
15 responsibilities in connection with United Nations
16 programs is undermined by the nondisclosure policy
17 of the United Nations barring full and timely access
18 by member states to OIOS audit reports.

19 **SEC. 3. ACCOUNTABILITY AND TRANSPARENCY MEASURES**
20 **FOR THE UNITED NATIONS.**

21 (a) ACCESS BY MEMBER STATES TO OIOS AU-
22 DITS.—Congress urges the President to instruct the Per-
23 manent Mission of the United States to the United Na-
24 tions to use the voice and vote of the United States to
25 seek to ensure the United Nations has procedures in place

1 to ensure that all reports prepared by the OIOS are made
2 available, in a timely fashion, fully and without modifica-
3 tion (except to the extent necessary to protect the privacy
4 rights of individuals) to member states of the United Na-
5 tions.

6 (b) REPORT ON FINANCIAL DISCLOSURE REQUIRE-
7 MENTS OF UNITED NATIONS OFFICIALS.—Not later than
8 180 days after the date of the enactment of this Act, the
9 Department of State shall submit to the appropriate con-
10 gressional committees a report assessing the adequacy of
11 financial disclosure rules and practices for United Nations
12 officials together with recommendations for any needed re-
13 forms identified in the course of the assessment.

14 **SEC. 4. DEFINITIONS.**

15 In this Act:

16 (1) OIL-FOR-FOOD PROGRAM.—The term “oil-
17 for-food program” means the program established
18 and administered pursuant to United Nations Secu-
19 rity Council Resolution 986 (April 14, 1995) and
20 subsequent United Nations resolutions to permit the
21 sale of petroleum products exported from Iraq and
22 to use the revenue generated from such sale for hu-
23 manitarian assistance.

24 (2) OFFICE OF INTERNAL OVERSIGHT SERV-
25 ICES.—The term “Office of Internal Oversight Serv-

1 ices” means the United Nations office established by
2 General Assembly resolution 48/218 B (July 29,
3 1994), and charged with assisting in the internal
4 oversight responsibilities of the Secretary General by
5 monitoring program implementation and by con-
6 ducting management audits, reviews, and surveys.

7 (3) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES.—The term “appropriate congressional com-
9 mittees” means the Committee on International Re-
10 lations of the House of Representatives, the Com-
11 mittee on Government Reform of the House of Rep-
12 resentatives, the Committee on Foreign Relations of
13 the Senate, and the Committee on Governmental Af-
14 fairs of the Senate.

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