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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R.

To counter malign influence, require transparency, and promote accountability within the United Nations system, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. McCAUL introduced the following bill; which was referred to the Committee on _____

A BILL

To counter malign influence, require transparency, and promote accountability 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.**

4 This Act may be cited as the “United Nations Trans-
5 parency and Accountability Act of 2021”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

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

4 (A) the Committee on Foreign Affairs and
5 the Committee on Appropriations of the House
6 of Representatives; and

7 (B) the Committee on Foreign Relations
8 and the Committee on Appropriations of the
9 Senate.

10 (2) EMPLOYEE.—The term “employee” means
11 staff who are compensated in any form in the gen-
12 eral services, professional staff, or senior manage-
13 ment of the United Nations system, including con-
14 sultants, contractors, and subcontractors.

15 (2) MALIGN INFLUENCE OPERATIONS.—The
16 term “malign influence operations” means a coordi-
17 nated, integrated, and synchronized application by a
18 Member State of national diplomatic, informational,
19 military, economic, or other capabilities, to foster at-
20 titudes, behaviors, or decisions by a United Nations
21 entity, or within the United Nations system, that
22 furthers the national interests and objectives of a
23 Member State, in a manner inconsistent with the
24 United Nations Charter.

1 (3) MEMBER STATE.—The term “Member
2 State” means a country that is a Member State of
3 the United Nations.

4 (3) SENIOR LEVEL EMPLOYEE OF THE UNITED
5 NATIONS.—The term “senior level employee of the
6 United Nations” means an individual who is em-
7 ployed in the professional staff or senior manage-
8 ment of the United Nations system, serving at the
9 level of D–1 or higher.

10 (4) UNITED NATIONS ENTITY.—The term
11 “United Nations entity” means, with respect to the
12 United Nations, the United Nations General Assem-
13 bly, the Economic and Social Council, the Security
14 Council, the Secretariat, a related organization, a
15 specialized agency, or a subsidiary body.

16 (5) UNITED NATIONS SYSTEM.—The term
17 “United Nations system” means an aggregation of
18 all United Nations entities.

19 (7) UNITED STATES CONTRIBUTION.—The term
20 “United States contribution” means an assessed or
21 voluntary contribution, whether financial, in-kind, or
22 otherwise, from the United States Government to a
23 United Nations entity.

1 **TITLE I—COUNTERING MALIGN**
2 **INFLUENCE OPERATIONS**
3 **WITHIN THE UNITED NA-**
4 **TIONS SYSTEM**

5 **SEC. 101. FINDINGS.**

6 Congress finds the following:

7 (1) Article 100 of the United Nations Charter
8 provides that United Nations Secretariat staff “shall
9 not seek or receive instructions from any govern-
10 ment or from any authority external to the Organi-
11 zation”.

12 (2) Furthermore, it requires Member States to
13 “respect the exclusively international character of
14 the responsibilities of the Secretary-General and the
15 staff and not to seek to influence them in the dis-
16 charge of their responsibilities”.

17 (3) For decades, Russia has manipulated the
18 United Nations procurement process to its own ben-
19 efit, especially in air assets. Russian nationals in key
20 procurement and personnel positions inside the
21 United Nations have repeatedly drafted procurement
22 contracts designed to ensure that Russian airframes
23 and pilots have an unfair advantage when bidding
24 for these contracts.

1 (4) According to Human Rights Watch, the
2 People's Republic of China (PRC) has used its lead-
3 ership roles within the United Nations to block non-
4 governmental organizations critical of the PRC from
5 being accredited to the UN. PRC diplomats have
6 violated UN rules by harassing activists by
7 photographing and filming them on UN property, as
8 well as contacting UN employees in efforts to intimi-
9 date and harass them.

10 (5) In 2013, PRC authorities detained Cao
11 Shunli after she tried to attend trainings in Geneva
12 on the Human Rights Council. She was arrested at
13 Beijing Airport and disappeared for several weeks.
14 She had previously called on the Chinese Communist
15 Party to work with civil society during the drafting
16 of the PRC's second Universal Periodic Review, a
17 mechanism by which the UN Human Rights Council
18 reviews the human rights record of Member States.
19 After five and a half months in detention, she died
20 in a military hospital in Beijing. When NGOs at the
21 Human Rights Council called for a moment of si-
22 lence in memory of Cao, the PRC delegation blocked
23 the request.

24 (6) In a 2019 interview with China Central Tel-
25 evision, Wu Hongbo, the former Under-Secretary-

1 General of the United Nations and head of the
2 United Nations Department of Economic and Social
3 Affairs (UNDESA), stated publicly that as a United
4 Nations Employee, he prioritized the PRC's inter-
5 ests above the impartiality of the United Nations
6 System. When discussing how he demanded the
7 United Nations police expel Dolkun Isa, an accred-
8 ited nongovernmental organization (NGO) partici-
9 pant, from the United Nations headquarters, Wu
10 Hongbo described him as a "Xinjiang separatist"
11 and bragged about intimidating an Assistant Sec-
12 retary-General who complained. He went on to say
13 "I think being a Chinese diplomat means one can't
14 be careless, when it is about protecting China's na-
15 tional interest and safety. We have to strongly de-
16 fend the motherland's interests."

17 (7) Despite this action, Wu Hongbo was suc-
18 ceeded as Under-Secretary-General and head of
19 UNDESA by Liu Zhenmin, another PRC national.
20 Under-Secretary-General Liu continues to prioritize
21 PRC national interests above the impartiality re-
22 quired in his role.

23 (8) On September 19, 2019, the United States
24 Department of State expelled two members of the
25 Permanent Mission of Cuba to the United Nations

1 for “attempts to conduct influence operations
2 against the United States”.

3 **SEC. 102. STATEMENT OF POLICY.**

4 It is the policy of the United States to—

5 (1) identify, report, and hold accountable Mem-
6 ber States that engage in malign influence oper-
7 ations and United Nations employees who act incon-
8 sistently with the principals of impartiality enshrined
9 in the United Nations Charter;

10 (2) oppose the election as the head of any
11 United Nations entity of nationals from Member
12 States that engage in malign influence operations;
13 and

14 (3) support Taiwan’s membership or meaning-
15 ful participation, as appropriate, in relevant United
16 Nations entities in which Taiwan has expressed an
17 interest in participating.

18 **SEC. 103. DESIGNATION OF SENIOR OFFICIAL.**

19 The Secretary of State shall designate a Senate-con-
20 firmed senior level official of the United States Mission
21 to the United Nations (US-UN) to provide guidance re-
22 garding implementation of the policies specified in section
23 102, fulfil the reporting requirements of section 104, and
24 coordinate the implementation of this title within the
25 United States Government.

1 **SEC. 104. ANNUAL REPORTS ON MALIGN INFLUENCE OPER-**
2 **ATIONS.**

3 (a) IN GENERAL.—Not later than August 1, 2022,
4 and annually thereafter for four years, the Secretary of
5 State shall submit to the appropriate congressional com-
6 mittees an unclassified report, which may include a classi-
7 fied annex, regarding malign influence operations.

8 (b) CONTENTS.—Each report under subsection (a)
9 shall include the following with respect to the preceding
10 12-month period:

11 (1) A list of Member States determined to be
12 engaged in malign influence operations.

13 (2) Actions inconsistent with the principle of
14 impartiality enshrined in the United Nations Char-
15 ter by the government of any such Member State.

16 (3) A description of the impact of such oper-
17 ations on the interests and security of the United
18 States.

19 **SEC. 105. IMPLEMENTATION.**

20 The President shall direct the United States Perma-
21 nent Representative to the United Nations to use the
22 voice, vote, and influence of the United States at the
23 United Nations to implement the policies specified in sec-
24 tion 102.

1 **SEC. 106. PRESIDENTIAL ACTIONS IN RESPONSE TO MA-**
2 **LIGN INFLUENCE OPERATIONS.**

3 (a) **POLICY.**—It shall be the policy of the United
4 States to—

5 (1) oppose malign influence operations; and

6 (2) promote respect for the impartiality and
7 independence of the United Nations system in coun-
8 tries designated pursuant to subsection (b).

9 (b) **DESIGNATIONS OF COUNTRIES AS MALIGN GLOB-**
10 **AL ACTORS.**—

11 (1) **ANNUAL REVIEW.**—Not later than Sep-
12 tember 1, 2022, and annually thereafter for four
13 years, the President shall review the reports required
14 under section 104 to determine whether the govern-
15 ment of a country included in the most recent such
16 report, in addition to any other available evidence or
17 information, has engaged in malign influence oper-
18 ations that threatened the interests or security of
19 the United States during the preceding 12 month
20 period or since the date of the last review of such
21 country under this paragraph, whichever period is
22 longer. The President shall designate as a malign
23 global actor each country the government of which
24 has engaged in such operations that have so threat-
25 ened the interests or security of the United States.

1 (2) CONGRESSIONAL NOTIFICATION.—Whenever
2 the President designates a country as a malign glob-
3 al actor under paragraph (1)(A), the President shall,
4 as soon as practicable after such designation is
5 made, transmit to the appropriate congressional
6 committees such designation, including an expla-
7 nation for why such designation was made.

8 **SEC. 107. REPORT ON ACCOUNTABILITY OF SENIOR LEVEL**
9 **EMPLOYEES OF THE UNITED NATIONS.**

10 Not later than 90 days after the date of the enact-
11 ment of this Act, the Secretary of State shall submit to
12 the appropriate congressional committees a report on fea-
13 sible mechanisms and ongoing efforts to increase the ac-
14 countability of senior level employees of the United Na-
15 tions.

16 **TITLE II—SUPPORTING UNITED**
17 **STATES ENGAGEMENT IN THE**
18 **UNITED NATIONS SYSTEM**

19 **SEC. 201. OFFICE OF MULTILATERAL STRATEGY AND PER-**
20 **SONNEL.**

21 (a) IN GENERAL.—The Secretary of State shall es-
22 tablish an Office of Multilateral Strategy and Personnel
23 as a separate office within the Department of State’s Bu-
24 reau of International Organization Affairs (IO).

1 (b) DUTIES.—The Office of Multilateral Strategy and
2 Personnel shall—

3 (1) advocate for the employment of United
4 States citizens by all international organizations of
5 which the United States is a member, including the
6 United Nations system;

7 (2) coordinate the interagency support of non-
8 United States candidates for leadership or oversight
9 roles within such international organizations when—

10 (A) no United States citizen candidate has
11 been nominated for election to such a leadership
12 role; and

13 (B) it is determined that providing such
14 support is in the interest of the United States;

15 (3) develop and maintain a publicly accessible
16 database of open positions at such international or-
17 ganizations and provide details on how United
18 States citizens may submit applications for such po-
19 sitions;

20 (4) communicate regularly with members of
21 Congress to solicit the names of qualified candidates
22 for such positions; and

23 (5) maintain a comprehensive and current list
24 of all United States citizens employed by such inter-
25 national organizations and regularly report to Con-

1 gress on the number of such citizens and identify
2 any discrimination, prejudice, or perceived bias
3 against such citizens seeking to secure such employ-
4 ment.

5 (c) COORDINATION.—The head of the Office of Multi-
6 lateral Strategy and Personnel shall coordinate all nomi-
7 nations by the relevant agencies of the Federal Govern-
8 ment for election within the United Nations system. Agen-
9 cies of the Federal Government shall recommend to the
10 head of the Office of Multilateral Strategy and Personnel
11 for consideration candidates for election, promotion, or ad-
12 vocacy within relevant international organizations.

13 (d) PERSONNEL.—The Secretary shall ensure that
14 the Office of Multilateral Strategy and Personnel is ade-
15 quately staffed at all times to fulfill its mandate under
16 this section.

17 (e) REPORTING.—The head of the Office of Multilat-
18 eral Strategy and Personnel shall report directly to the
19 relevant Deputy Assistant Secretary within IO.

20 **SEC. 202. JUNIOR PROFESSIONAL OFFICERS.**

21 (a) INCREASE IN JUNIOR PROFESSIONAL OFFICER
22 POSITIONS.—The Secretary of State shall increase by not
23 fewer than 50 percent the number of Junior Professional
24 Officer positions sponsored by the United States within
25 the United Nations system over the number of such posi-

1 tions so sponsored as of the date of the enactment of this
2 Act.

3 (b) COORDINATION.—Not later than December 31 of
4 each year, the head of each bureau of the Department of
5 State shall provide the head of the Office of Multilateral
6 Strategy and Personnel established pursuant to section
7 201 information regarding the amount of funding each
8 such bureau has designated during the immediately pre-
9 ceding fiscal year for Junior Professional Officer positions
10 in the United Nations system and the number of such po-
11 sitions that exist as of such fiscal year.

12 **TITLE III—TRANSPARENCY AND**
13 **ACCOUNTABILITY FOR**
14 **UNITED STATES CONTRIBU-**
15 **TIONS TO THE UNITED NA-**
16 **TIONS**

17 **SEC. 301. FINDINGS.**

18 Congress finds the following:

19 (1) As underscored by repeated revelations of
20 waste, fraud, and abuse, oversight and account-
21 ability mechanisms within the United Nations sys-
22 tem remain deficient, despite decades of reform at-
23 tempts, including those initiated by Secretaries Gen-
24 eral of the United Nations.

1 (2) Notwithstanding the personal intentions of
2 any Secretary General of the United Nations to pro-
3 mote institutional transparency and accountability
4 within the United Nations System, the Secretary
5 General lacks the power to impose far reaching man-
6 agement reforms without the concurrence of the
7 General Assembly.

8 (3) The United Nations Office of Internal Over-
9 sight Services (OIOS) is tasked with providing
10 transparency and accountability to Member States.

11 (4) The United States successfully led efforts
12 within the General Assembly to expand OIOS, re-
13 sulting in increased independence of the office and
14 an enhanced ability to expose fraud, waste, abuse,
15 and other misconduct.

16 (5) However, to an unacceptable degree, major
17 donor states, including the United States, lack ac-
18 cess to reasonably detailed, reliable information on
19 the use of funding made available through single-
20 country trust funds, as well as the outcomes and re-
21 sults stemming from United Nations activities that
22 would allow them to determine the overall perform-
23 ance of the United Nations system.

1 **SEC. 302. ANNUAL REPORT ON FINANCIAL CONTRIBU-**
2 **TIONS.**

3 Subsection (b) of section 4 of the United Nations
4 Participation Act of 1945 (22 U.S.C. 287b) is amended—

5 (1) by striking “Not later than” and inserting
6 the following:

7 “(1) IN GENERAL.—Not later than”; and

8 (2) by adding at the end the following new
9 paragraphs:

10 “(2) CONTENTS.—Each report required under
11 this subsection shall set forth, for the fiscal year
12 covered by such report, information relating to the
13 following:

14 “(A) The total amount of all United States
15 contributions to international organizations in
16 which the United States participates as a mem-
17 ber.

18 “(B) The approximate percentage of
19 United States contributions to each inter-
20 national organization, when compared with all
21 contributions to any such international organi-
22 zation, from any source.

23 “(C) For each such United States con-
24 tribution, information relating to the following:

25 “(i) The amount of such contribution.

1 “(ii) A description of such contribu-
2 tion (including whether assessed or vol-
3 untary).

4 “(iii) The department or agency of the
5 United States Government responsible for
6 such contribution.

7 “(iv) The purpose of such contribu-
8 tion.

9 “(v) An identification of the inter-
10 national organization, receiving such con-
11 tribution.

12 “(3) PUBLIC AVAILABILITY OF INFORMATION.—
13 Not later than 14 days after submitting each report
14 required under this subsection, the Director of the
15 Office of Management and Budget shall post a pub-
16 lic version of such report on a text-based, searchable,
17 and publicly available internet web site.”.