

**(b) Reimbursement from United Nations; waiver of reimbursement**

Whenever personnel or assistance is made available pursuant to the authority contained in subsection (a)(1) and (2) of this section, the President shall require reimbursement from the United Nations for the expense thereby incurred by the United States: *Provided*, That in exceptional circumstances, or when the President finds it to be in the national interest, he may waive, in whole or in part, the requirement of such reimbursement: *Provided further*, That when any such reimbursement is made, it shall be credited, at the option of the appropriate department of the Department of Defense, either to the appropriation, fund, or account utilized in incurring the obligation, or to an appropriate appropriation, fund, or account currently available for the purposes for which expenditures were made.

**(c) Additional appropriation authorizations**

In addition to the authorization of appropriations to the Department of State contained in section 287e of this title, there is hereby authorized to be appropriated to the Department of Defense, or any department therein, such sums as may be necessary to reimburse such departments in the event that reimbursement from the United Nations is waived in whole or in part pursuant to authority contained in subsection (b) of this section.

**(d) Disclosure of information**

Nothing in this subchapter shall authorize the disclosure of any information or knowledge in any case in which such disclosure is prohibited by any other law of the United States.

(Dec. 20, 1945, ch. 583, §7, as added Oct. 10, 1949, ch. 660, §5, 63 Stat. 735; amended Aug. 10, 1949, ch. 412, §12(a), 63 Stat. 591.)

## CHANGE OF NAME

National Military Establishment changed to Department of Defense by act Aug. 10, 1949.

## EX. ORD. NO. 10206. SUPPORT OF PEACEFUL SETTLEMENT OF DISPUTES

Ex. Ord. No. 10206, Jan. 19, 1951, 16 F.R. 529, provided: By virtue of the authority vested in me by the Constitution and the statutes, including the United Nations Participation Act of 1945 (59 Stat. 619), as amended [this subchapter], hereinafter referred to as the Act, and the act of August 8, 1950 (Public Law 673, 81st Congress) [sections 301 to 303 of Title 3, The President], and as President of the United States, it is hereby ordered as follows:

1. The Secretary of State, upon the request by the United Nations for cooperative action, and to the extent that he finds that it is consistent with the national interest to comply with such request, is authorized, in support of such activities of the United Nations as are specifically directed to the peaceful settlement of disputes and not involving the employment of armed forces contemplated by Chapter VII of the United Nations Charter, to request the Secretary of Defense to detail personnel of the armed forces to the United Nations, and to furnish facilities, services, or other assistance and to loan supplies and equipment to the United Nations in an agreed fair share of the United States under such terms and conditions as the Secretary of State and the Secretary of Defense shall jointly determine and in accordance with and subject to the provisions of paragraphs (1), (2), and (3) of section 7(a) of the

Act [subsection (a)(1), (2) and (3) of this section], and the Secretary of Defense is authorized to comply with the request of the Secretary of State, giving due regard to the requirements of the national defense.

2. The Secretary of State, in accordance with and subject to the provisions of section 7(b) of the Act [subsection (b) of this section], shall require reimbursement from the United Nations for the expense thereby incurred by the United States whenever personnel or assistance is made available to the United Nations, except that in exceptional circumstances, or when the Secretary of State finds it to be in the national interest, he may, after consultation with the Secretary of Defense, waive, in whole or in part, the requirement of such reimbursement.

3. The Secretary of Defense, in accordance with and subject to the provisions of section 7(a)(1) of the Act [subsection (a)(1) of this section], may authorize personnel of the armed forces detailed to the United Nations to accept directly from the United Nations (a) any or all of the allowances or perquisites to which they are entitled under the first proviso of section 7(a)(1) of the Act [subsection (a)(1) of this section], and (b) extraordinary expenses and perquisites incident to such detail.

HARRY S TRUMAN.

**§ 287e. Authorization of appropriations; payment of expenses**

There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the United Nations as apportioned by the General Assembly in accordance with article 17 of the Charter, and for all necessary salaries and expenses of the representatives provided for in section 287 of this title, and of their appropriate staffs, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and chapter 51 and subchapter III of chapter 53 of title 5; travel expenses without regard to the Standardized Government Travel Regulations, as amended, subchapter I of chapter 57 and section 5731 of title 5 and, under such rules and regulations as the Secretary of State may prescribe, travel expenses of families and transportation of effects of United States representatives and other personnel in going to and returning from their post of duty; allowances for living quarters, including heat, fuel, and light, as authorized by section 5912 of title 5; cost-of-living allowances for personnel stationed abroad under such rules and regulations as the Secretary of State may prescribe; communications services; stenographic reporting, translating, and other services, by contract; hire of passenger motor vehicles and other local transportation; rent of offices; printing and binding without regard to section 501 of title 44; allowances and expenses as provided in section 287r of this title, and allowances and expenses equivalent to those provided in section 4085 of this title; the lease or rental (for periods not exceeding ten years) of living quarters for the use of the representatives provided for in section 287 of this title serving abroad and of their appropriate staffs the cost of installation and use of telephones in the same manner as telephone service is provided for use of the Foreign Service pursuant to section 1348 of title 31, and unusual expenses similar to those author-

ized by section 5913 of title 5, incident to the operation and maintenance of such living quarters abroad; and such other expenses as may be authorized by the Secretary of State; all without regard to section 6101 of title 41.

(Dec. 20, 1945, ch. 583, § 8, formerly § 7, 59 Stat. 621, renumbered and amended Oct. 10, 1949, ch. 660, § 6, 63 Stat. 736; Oct. 28, 1949, ch. 782, title II, § 202(2), title XI, § 1106(a), 63 Stat. 954, 972; Pub. L. 86-707, title III, § 311(b), Sept. 6, 1960, 74 Stat. 797; Pub. L. 96-465, title II, § 2206(a)(2)(B), Oct. 17, 1980, 94 Stat. 2161; Pub. L. 97-241, title I, § 119, Aug. 24, 1982, 96 Stat. 280; Pub. L. 100-459, title III, § 304(a), Oct. 1, 1988, 102 Stat. 2207.)

#### REFERENCES IN TEXT

Article 17 of the Charter, referred to in text, is article 17 of the United Nations Charter.

#### CODIFICATION

In text, “chapter 51 and subchapter III of chapter 53 of title 5” substituted for “the Classification Act of 1949” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, which Act enacted Title 5, Government Organization and Employees.

In text, “subchapter I of chapter 57 and section 5731 of title 5” substituted for “the Travel Expense Act of 1949, and section 10 of the Act of March 3, 1933, as amended [5 U.S.C. 73b]” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, which Act enacted Title 5.

In text, “section 5912 of title 5” and “section 5913 of title 5” substituted for “the Act approved June 26, 1930 (5 U.S.C. 118a)” and “section 22 of the Administrative Expenses Act of 1946, as amended by section 311 of the Overseas Differentials and Allowances Act [5 U.S.C. 3039]”, respectively, on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, which Act enacted Title 5.

In text, “section 501 of title 44” substituted for “section 11 of the Act of March 1, 1919 (44 U.S.C. 111)” on authority of Pub. L. 90-620, § 2(b), Oct. 22, 1968, 82 Stat. 1305, which Act enacted Title 44, Public Printing and Documents.

In text, “section 1348 of title 31” substituted for “the Act of August 23, 1912, as amended (31 U.S.C. 679)” on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, which Act enacted Title 31, Money and Finance.

In text, “section 6101 of title 41” substituted for “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)” on authority of Pub. L. 111-350, § 6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

#### AMENDMENTS

1988—Pub. L. 100-459 inserted “serving abroad” after “use of the representatives provided for in section 287 of this title”, inserted “abroad” after “such living quarters” and struck out at end “Any payments made by United States Government personnel for occupancy by them of living quarters leased or rented under this section shall be credited to the appropriation, fund, or account utilized by the Secretary of State for such lease or rental or to the appropriation, fund, or account currently available for such purpose.”

1982—Pub. L. 97-241 substituted “use of the representatives provided for in section 287 of this title and of their appropriate staffs” for “use of the representative of the United States to the United Nations referred to in subsection (a) of section 287 of this title” and inserted provision that payments made by United States Government personnel for occupancy of living quarters leased or rented be credited to the appropriation, fund, or account utilized for such lease or rental or to the appropriation, fund, or account currently available for such purpose.

1980—Pub. L. 96-465 substituted reference to section 4085 of this title for reference to section 1131 of this title.

1960—Pub. L. 86-707 substituted “and unusual expenses similar to those authorized by section 5913 of title 5, incident to the operation and maintenance of such living quarters” for “and the allotment of funds, similar to the allotment authorized by section 1132 of this title, for unusual expenses incident to the operation and maintenance of such living quarters, to be accounted for in accordance with section 1133 of this title.”

1949—Act Oct. 28, 1949, substituted “Classification Act of 1949” for “Classification Act of 1923”.

Act Oct. 10, 1949, which renumbered section as section 8 of act Dec. 20, 1945, from section 7, authorized lease or rental, for periods not to exceed 10 years, of a residence for our representative to the United Nations, and clarified references to the civil service and classification laws, subsistence allowances, and travel expense.

#### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-459 effective July 1, 1989, see section 304(c)(1) of Pub. L. 100-459, set out as an Effective Date of 1988 Amendment; Transition Provisions note under section 287e-1 of this title.

#### EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as an Effective Date note under section 3901 of this title.

#### REPEALS

Act Oct. 28, 1949, ch. 782, cited as a credit to this section, was repealed (subject to a savings clause) by Pub. L. 89-554, Sept. 6, 1966, § 8, 80 Stat. 632, 655.

#### ANNUAL APPROPRIATIONS

Annual appropriations to meet the obligations of membership in various international organizations were contained in acts listed in a note set out under section 269a of this title.

#### TAXATION OF INTERNET OR INTERNATIONAL CURRENCY TRANSACTIONS

Pub. L. 107-77, title IV, § 404, Nov. 28, 2001, 115 Stat. 789, provided that: “Hereafter, none of the funds appropriated or otherwise made available for the United Nations may be used by the United Nations for the promulgation or enforcement of any treaty, resolution, or regulation authorizing the United Nations, or any of its specialized agencies or affiliated organizations, to tax any aspect of the Internet or international currency transactions.”

Similar provisions were contained in the following appropriation acts:

Pub. L. 106-553, § 1(a)(2) [title IV, § 405], Dec. 21, 2000, 114 Stat. 2762, 2762A-96.

Pub. L. 106-113, div. B, § 1000(a)(1) [title IV, § 406], Nov. 29, 1999, 113 Stat. 1535, 1501A-45.

#### REFUND OF EXCESS CONTRIBUTIONS

Pub. L. 107-228, div. A, title I, § 113(e), Sept. 30, 2002, 116 Stat. 1359, provided that: “The United States shall continue to insist that the United Nations and its specialized and affiliated agencies shall credit or refund to each member of the organization or agency concerned its proportionate share of the amount by which the total contributions to the organization or agency exceed the expenditures of the regular assessed budget of the organization or agency.”

Similar provisions were contained in the following prior authorization act:

Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title I, § 106(g)], Nov. 29, 1999, 113 Stat. 1536, 1501A-416.

#### REDUCTION IN APPROPRIATIONS FOR CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS IF OFFICIAL STATUS, ACCREDITATION, OR RECOGNITION IS GRANTED TO ORGANIZATION SEEKING LEGALIZATION OF PEDOPHILIA

Pub. L. 103-236, title I, § 102(g), Apr. 30, 1994, 108 Stat. 389, as amended by Pub. L. 103-415, § 1(o), Oct. 25, 1994,

108 Stat. 4301, provided that: "Notwithstanding any other provision of law, the funds authorized to be appropriated for the United Nations and its affiliated agencies in 'Contributions for International Organizations' shall be reduced in the amount of \$118,875,000 for fiscal year 1995, and for each year thereafter, until the President certifies to the Speaker of the House of Representatives and the President of the Senate that no United Nations agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia, or which includes as a subsidiary or member any such organization."

[Functions of President under section 102(g) of Pub. L. 103-236, set out above, delegated to Secretary of State by Memorandum of President of the United States, July 26, 1994, 59 F.R. 40205, set out as a note under section 2370a of this title.]

MEMBERSHIP OF PALESTINE LIBERATION ORGANIZATION  
IN UNITED NATIONS AGENCIES

Pub. L. 101-246, title IV, §414, Feb. 16, 1990, 104 Stat. 70, provided that:

"(a) PROHIBITION.—No funds authorized to be appropriated by this Act or any other Act shall be available for the United Nations or any specialized agency thereof which accords the Palestine Liberation Organization the same standing as member states.

"(b) TRANSFER OR REPROGRAMMING.—Funds subject to the prohibition contained in subsection (a) which would be available for the United Nations or any specialized agency thereof (but for that prohibition) are authorized to remain available until expended and may be reprogrammed or transferred to any other account of the Department of State or the Agency for International Development to carry out the general purposes for which such funds were authorized."

PROBABLE EXEMPTIONS TO UNITED NATIONS EMPLOYEE  
HIRING FREEZE

Pub. L. 100-204, title VII, §701, Dec. 22, 1987, 101 Stat. 1383, as amended by Pub. L. 102-138, title I, §163, Oct. 28, 1991, 105 Stat. 676, provided that:

"(a) FINDINGS.—The Congress makes the following findings:

"(1) In April 1986, the Secretary-General of the United Nations adopted a freeze on the hiring of personnel within the United Nations Secretariat.

"(2) The conditions of the freeze were such that, as the terms of office for the personnel expired, replacements would not be recruited or hired to fill the vacant positions, with minor exceptions.

"(3) The freeze was designed to reduce United Nations personnel by 15 percent over three years, as recommended by the Group of High-Level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations (commonly referred to as the 'Group of 18 Experts').

"(4) On May 5, 1987, the Secretary-General reported to the Department of State that he was considering granting 156 exceptions to the hiring freeze.

"(5) Of these 156 probable exceptions, 104 would be Soviet and Soviet-bloc nationals currently employed in the United Nations Secretariat—of 298 Soviet and Soviet-bloc nationals currently employed in the United Nations Secretariat—who would be replaced over the next 18 months.

"(6) According to a report from the Select Committee on Intelligence of the Senate on 'Soviet Presence in the United Nations Secretariat' (Senate Print 99-52, May 1985), approximately one-fourth of the Soviets in the United Nations Secretariat are intelligence officers, many more are co-opted by the Soviet intelligence agencies, and all Soviets in the United Nations Secretariat must respond to KGB requests for assistance.

"(7) Other United States intelligence authorities estimate that as many as one-half of the Soviet and So-

viet-bloc nationals in the United Nations Secretariat are officers of the KGB or the GRU.

"(8) If the Secretary-General's probable exemptions are adopted, the Soviet Union will be allowed to replace retiring Soviet and Soviet-bloc personnel with new, highly skilled and well-trained intelligence officers of the KGB or the GRU.

"(9) The Secretary-General's proposed exceptions would thus provide the Soviet Union with the capability to rebuild its intelligence apparatus within the United States, which was devastated in recent years when the United States ordered severe reductions in the size of the Soviet mission to the United Nations, the Soviet Embassy in Washington, District of Columbia, and the Soviet Consulate in San Francisco, California.

"(10) Article 100 of the United Nations Charter calls for the establishment of an international civil service whose members are neutral and loyal only to the United Nations.

"(11) Section 3 of Article 101 of the United Nations Charter calls for the appointment of individuals who are professionally qualified for the positions they are to fill and maintains that due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

"(12) As of September 1985, 442 of 446 Soviet nationals employed throughout the United Nations system are 'seconded', that is, serve on short, fixed-term contracts.

"(13) Through the abuse of short, fixed-term contracts, the Soviet Union has maintained undue influence and control over major offices of the United Nations Secretariat, thereby effectively using the United Nations Secretariat in the conduct of its foreign relations, in clear violation of Articles 100 and 101 of the United Nations Charter.

"(14) The Secretary-General's proposed exceptions to the hiring freeze (as described in paragraphs (1) through (5)) would continue the gross violations of Articles 100 and 101 of the United Nations Charter described in paragraph (13).

"(15) The Secretary-General's proposed exceptions to such hiring freeze would be clearly inconsistent with the terms of the United Nation's self-imposed reform program.

"(16) The United Nations has not yet achieved its reform goals and there is no indication that the United Nations can afford to make such large exceptions to such hiring freeze.

"(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

"(1) the President should take all such actions necessary to ensure compliance with the hiring freeze rule, including withholding all assessed United States contributions to the United Nations, and denying United States entry visas to Soviet and Soviet-bloc applicants coming to the United States to replace Soviet and Soviet-bloc nationals currently serving in the United Nations Secretariat;

"(2) the President, through the Department of State and the United States mission to the United Nations, should express to the Secretary-General of the United Nations the insistence of the American people that the hiring freeze continue indefinitely, or until the United Nations has complied with the Group of 18 recommendations and can thus afford to make exceptions to the freeze;

"(3) the Secretary-General should revoke all exceptions to the hiring freeze rule, excepting those member-nations which have 15 or fewer nationals serving in the United Nations Secretariat, or those positions not subject to geographical representation, such as those of the general service category;

"(4) the long-term, flagrant violations of Articles 100 and 101 of the United Nations Charter and the abuse of secondment by the Soviet Union and Soviet-bloc member-nations are reprehensible;

"(5) the United Nations should adopt the recommendations of the Group of 18 (as referred to in sub-

section (a)(3) that no member-nation be allowed to have more than 50 percent of its nationals employed under fixed-term contracts;

“(6) the Soviet Union is hereby condemned for—

“(A) its refusal to adhere to the principles of the United Nations Charter calling for an international civil service,

“(B) its abuse of secondment, and

“(C) its absolute disregard of the solemn purpose of the United Nations to be an international civil service; and

“(7) if the Soviet Union and the Soviet-bloc intend to remain member-nations of the United Nations, they should adhere to Articles 100, 101, and all other principles of the United Nations Charter to which every other member-nation must adhere.

“(c) DEFINITION.—For the purposes of this section, the term ‘Soviet-bloc’ means the countries of Bulgaria, Cuba, Czechoslovakia, East Germany, Hungary, Nicaragua, North Korea, Poland, and Romania.”

#### HOUSING ALLOWANCES OF INTERNATIONAL CIVIL SERVANTS

Pub. L. 100-204, title VII, §703, Dec. 22, 1987, 101 Stat. 1389, provided that:

“(a) UNITED STATES POLICY.—It is the policy of the United States to seek the implementation by the United Nations of the recommendation by the International Civil Service Commission to deduct from the pay (commonly referred to as a ‘rental deduction’) of an international civil servant the amount of any housing allowance or payment which is provided by any member state to that international civil servant, in accordance with Article 100 of the Charter of the United Nations and regulations thereunder.

“(b) UNITED STATES AMBASSADOR TO THE UNITED NATIONS.—The United States Ambassador to the United Nations shall seek to promote the adoption of the recommendation described in subsection (a).”

#### REFORM IN BUDGET DECISION-MAKING PROCEDURES OF UNITED NATIONS AND ITS SPECIALIZED AGENCIES

Pub. L. 103-236, title IV, §409(a)–(d), Apr. 30, 1994, 108 Stat. 454, as amended by Pub. L. 107-228, div. A, title IV, §405(b)(2), Sept. 30, 2002, 116 Stat. 1391, provided that:

“(a) ASSESSED CONTRIBUTIONS.—For assessed contributions authorized to be appropriated for ‘Assessed Contributions to International Organizations’ by this Act [108 Stat. 382, 388], the President may withhold 20 percent of the funds appropriated for the United States assessed contribution to the United Nations or to any of its specialized agencies for any calendar year if the United Nations or any such agency has failed to implement or to continue to implement consensus-based decisionmaking procedures on budgetary matters which assure that sufficient attention is paid to the views of the United States and other member states that are the major financial contributors to such assessed budgets.

“(b) NOTICE TO CONGRESS.—The President shall notify the Congress when a decision is made to withhold any share of the United States assessed contribution to the United Nations or its specialized agencies pursuant to subsection (a) and shall notify the Congress when the decision is made to pay any previously withheld assessed contribution. A notification under this subsection shall include appropriate consultation between the President (or the President’s representative) and the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

“(c) CONTRIBUTIONS FOR PRIOR YEARS.—Subject to the availability of appropriations, payment of assessed contributions for prior years may be made to the United Nations or any of its specialized agencies notwithstanding subsection (a) if such payment would further United States interests in that organization.

“(d) Repealed. Pub. L. 107-228, div. A, title IV, §405(b)(2), Sept. 30, 2002, 116 Stat. 1391.”

[Functions of President under section 409 of Pub. L. 103-236, set out above, delegated to Secretary of State by Memorandum of President of the United States, July 26, 1994, 59 F.R. 40205, set out as a note under section 2370a of this title.]

Similar provisions were contained in the following prior authorization act:

Pub. L. 102-138, title I, §162(a)–(d), Oct. 28, 1991, 105 Stat. 675; repealed by Pub. L. 103-236, title I, §139(21), title IV, §409(e), Apr. 30, 1994, 108 Stat. 399, 454, as amended by Pub. L. 103-415, §1(aa), Oct. 25, 1994, 108 Stat. 4302.

Pub. L. 101-246, title IV, §405, Feb. 16, 1990, 104 Stat. 65, provided that progress had been made in formulation and implementation of budget reforms by United Nations and its specialized agencies but that limitation on United States assessed contributions would continue until President made specific determinations on continued implementation of decisionmaking procedures on budget matters, elimination of abuse of secondment in United Nations Secretariat, and reduction in staff of United Nations Secretariat, prior to repeal by Pub. L. 102-138, title I, §162(e), Oct. 28, 1991, 105 Stat. 676.

Pub. L. 99-93, title I, §143, Aug. 16, 1985, 99 Stat. 424, as amended by Pub. L. 100-204, title VII, §702(b), Dec. 22, 1987, 101 Stat. 1386, provided for limitation on assessed contributions of United States until reform in budget decisionmaking procedures of United Nations and its specialized agencies had been formulated and implemented as determined by President and reported to Congress, prior to repeal by Pub. L. 102-138, title I, §162(e), Oct. 28, 1991, 105 Stat. 676.

#### EMPLOYEES OF THE UNITED NATIONS

Pub. L. 99-93, title I, §151, Aug. 16, 1985, 99 Stat. 428, provided that:

“(a) INITIAL REPORT.—Not later than 90 days after the date of enactment of this Act [Aug. 16, 1985], the Secretary of State shall report to the Congress on whether, and the extent to which, international civil servants employed by the United Nations, including those seconded to the United Nations, are required to return all or part of their salaries to their respective governments. The Secretary shall also include in this report a description of the steps taken by the Department of State and by the United States Representative to the United Nations to correct this practice.

“(b) REPORT ON STEPS TO CORRECT PRACTICE.—The Secretary of State shall determine and report to the Congress on whether substantial progress has been made by June 1, 1986, in correcting the practice of international civil servants employed by the United Nations being required to return all or part of their salaries to their respective governments.

“(c) REDUCTION IN CONTRIBUTION IF SUBSTANTIAL PROGRESS [sic] NOT MADE.—If the Secretary of State determines pursuant to subsection (b) that substantial progress has not been made in correcting this practice, the United States shall thereafter reduce the amount of its annual assessed contributions to the United Nations by the amount of that contribution which is the United States proportionate share of the salaries of those international civil servants employed by the United Nations who are returning any portion of their salaries to their respective governments.

“(d) NATIONAL TAXATION.—This section does not apply with respect to payments made for purposes of national taxation in accordance with formal treaty reservations concerning such taxation by a member state of the United Nations.”

#### RESTRICTIONS RELATING TO THE PALESTINE LIBERATION ORGANIZATION AND THE SOUTH WEST AFRICA PEOPLE’S ORGANIZATION

Pub. L. 98-164, title I, §114, Nov. 22, 1983, 97 Stat. 1020, as amended by Pub. L. 99-93, title I, §144, Aug. 16, 1985, 99 Stat. 424; Pub. L. 100-204, title VII, §705, Dec. 22, 1987, 101 Stat. 1390, provided that:

“(a) Funds appropriated for any fiscal year for the Department of State for ‘International Organizations

and Conferences' may not be used for payment by the United States, as its contribution toward the assessed budget of the United Nations for any year, of any amount which would cause the total amount paid by the United States as its assessed contribution for that year to exceed the amount assessed as the United States contribution for that year less—

“(1) 25 per centum of the amount budgeted for that year for the Committee on the Exercise for the Inalienable Rights of the Palestinian People (or any similar successor entity); and

“(2) 25 per centum of the amount budgeted for that year for the Special Unit on Palestinian Rights (or any similar successor entity);

“(3) 25 percent of the amount budgeted for that year for the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (or any similar successor entity);

“(4) 25 per centum of the amount budgeted for that year for projects whose primary purpose is to provide benefits to the Palestine Liberation Organization or entities associated with it or to the South West Africa People's Organization;

“(5) 25 percent of the amount budgeted for that year for the Second Decade to Combat Racism and Racial Discrimination;

“(6) 25 percent of the amount budgeted for any other United Nations agency or conference whose sole or partial purpose is to implement the provisions of General Assembly Resolution 33/79; and

“(7) 25 percent of the amount budgeted for the General Assembly-approved \$73,500,000 conference center to be constructed for the Economic Commission for Africa (ECA) in the Ethiopian capital of Addis Ababa.

“(b) Funds appropriated for any fiscal year for the Department of State for ‘International Organizations and Conferences’ may not be used for payment by the United States, as its contribution toward the assessed budget of any specialized agency of the United Nations for any year, of any amount which would cause the total amount paid by the United States as its assessed contribution for that year to exceed the amount assessed as the United States contribution for that year less 25 per centum of the amount budgeted by such agency for that year for projects whose primary purpose is to provide benefits to the Palestine Liberation Organization or entities associated with it or to the South West Africa People's Organization.

“(c) The President shall annually review the budgets of the United Nations and its specialized agencies to determine which projects have the primary purpose of providing benefits to the Palestine Liberation Organization or to the South West Africa People's Organization. The President shall report to the Congress on any such project for which a portion of the United States assessed contribution is withheld and the amount withheld.

“(d) Subsections (a)(3) and (b) shall not be construed as limiting United States contributions to the United Nations or its specialized agencies for projects whose primary purpose is to provide humanitarian, educational, developmental, and other nonpolitical benefits.”

ANNUAL REVIEW FOR PROJECTS PROVIDING POLITICAL BENEFITS TO PALESTINE LIBERATION ORGANIZATION; REPORT TO CONGRESS ON WITHHOLDING OF ASSESSED CONTRIBUTION

Section 104(c) of Pub. L. 97-241 provided that: “The President shall annually review the budgets of the United Nations and its specialized agencies to determine which projects have the primary purpose of providing political benefit to the Palestine Liberation Organization. The President shall report to the Congress on any such project for which a portion of the United States assessed contribution is withheld and the amount withheld.”

[Functions of the President under section 104(c) of Pub. L. 97-241, set out as a note above, delegated to the

Secretary of State, see Ex. Ord. No. 12374, July 28, 1982, 47 F.R. 32903, as amended by Ex. Ord. No. 12408, Feb. 23, 1983, 48 F.R. 8035.]

LIMIT ON PAYMENTS TO UNITED NATIONS AND AFFILIATED AGENCIES

Pub. L. 103-236, title IV, §404(b)(1), (2), Apr. 30, 1994, 108 Stat. 447, as amended by Pub. L. 107-228, div. A, title IV, §402(a), Sept. 30, 2002, 116 Stat. 1388; Pub. L. 110-161, div. J, title I, §113, Dec. 26, 2007, 121 Stat. 2288; Pub. L. 111-8, div. H, title VII, §7051, Mar. 11, 2009, 123 Stat. 893; Pub. L. 111-117, div. F, title VII, §7051, Dec. 16, 2009, 123 Stat. 3378, provided that:

“(1) FISCAL YEARS 1994 AND 1995.—Funds authorized to be appropriated for ‘Contributions for International Peacekeeping Activities’ for fiscal years 1994 and 1995 shall not be available for the payment of the United States assessed contribution for a United Nations peacekeeping operation in an amount which is greater than 30.4 percent of the total of all assessed contributions for that operation, notwithstanding the last sentence of the paragraph headed ‘Contributions to International Organizations’ in Public Law 92-544, as amended by section 203 of the Foreign Relations Authorization Act, Fiscal Year 1976 (22 U.S.C. 287e note).

“(2) SUBSEQUENT FISCAL YEARS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), funds authorized to be appropriated for ‘Contributions for International Peacekeeping Activities’ for any fiscal year after fiscal year 1995 shall not be available for the payment of the United States assessed contribution for a United Nations peacekeeping operation in an amount which is greater than 25 percent of the total of all assessed contributions for that operation.

“(B) REDUCTION IN UNITED STATES SHARE OF ASSESSED CONTRIBUTIONS.—Notwithstanding the percentage limitation contained in subparagraph (A), the United States share of assessed contributions for each United Nations peacekeeping operation during the following periods is authorized to be as follows:

“(i) For assessments made during calendar year 2001, 28.15 percent.

“(ii) For assessments made during calendar year 2002, 27.90 percent.

“(iii) For assessments made during calendar year 2003, 27.40 percent.

“(iv) For assessments made during calendar year 2004, 27.40 percent.

“(v) For assessments made during each of the calendar years 2005, 2006, 2007, 2008, and 2009, 27.1 percent.

“(vi) For assessments made during calendar year 2010, 27.3 percent.”

[Pub. L. 108-447, div. B, title IV, §411, Dec. 8, 2004, 118 Stat. 2905, provided that during fiscal year 2005, section 404(b)(2)(B) of Pub. L. 103-236, set out above, would be administered as though the final clause read as follows:

[[“(v) For assessments made during calendar year 2005, 27.1 percent.”]]

Pub. L. 103-236, title IV, §410, Apr. 30, 1994, 108 Stat. 454, provided that: “The United States shall not make any voluntary or assessed contribution—

“(1) to any affiliated organization of the United Nations which grants full membership as a state to any organization or group that does not have the internationally recognized attributes of statehood, or

“(2) to the United Nations, if the United Nations grants full membership as a state in the United Nations to any organization or group that does not have the internationally recognized attributes of statehood,

during any period in which such membership is effective.”

Pub. L. 92-544, title I, §101, Oct. 25, 1972, 86 Stat. 1110, as amended by Pub. L. 94-141, title II, §203, Nov. 29, 1975, 89 Stat. 762; Pub. L. 103-236, title IV, §404(b)(3), Apr. 30, 1994, 108 Stat. 447; Pub. L. 107-228, div. A, title IV, §402(b), Sept. 30, 2002, 116 Stat. 1389, provided that: “Subject to section 404(b)(2) of the Foreign Relations

Authorization Act, Fiscal Years 1994 and 1995 [Pub. L. 103-236] (22 U.S.C. 287e note), after December 31, 1973, no appropriation is authorized and no payment shall be made to the United Nations or any affiliated agency in excess of 25 per centum of the total annual assessment of such organization. Subject to section 404(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 287e note), appropriations are authorized and contributions and payments may be made to the following organizations and activities notwithstanding that such contributions and payments are in excess of 25 per centum of the total annual assessment of the respective organization or 33⅓ per centum of the budget for the respective activity: the International Atomic Energy Agency, the joint financing program of the International Civil Aviation Organization, and contributions for international peacekeeping activities conducted by or under the auspices of the United Nations or through multilateral agreements.”

UNITED STATES ASSESSED CONTRIBUTION TO THE  
UNITED NATIONS

Pub. L. 92-226, pt. IV, §410, Feb. 7, 1972, 86 Stat. 36, provided that: “The Congress strongly urges the President to undertake such negotiations as may be necessary to implement that portion of the recommendations of the Report of the President’s Commission for the Observance of the Twenty-fifth Anniversary of the United Nations (known as the ‘Lodge Commission’) which proposes that the portion of the regular assessed costs to be paid by the United States to the United Nations be reduced so that the United States is assessed in each year not more than 25 per centum of such costs assessed all members of the United Nations for that year.”

**§ 287e-1. Housing supplement for certain employees assigned to the United States Mission to the United Nations**

The Secretary of State may, under such regulations as he shall prescribe, and notwithstanding section 3324(a) and (b) of title 31 and section 5536 of title 5:

(1) Make available to the Representative of the United States to the United Nations and the Deputy Permanent Representative of the United States to the United Nations living quarters leased or rented by the United States (for periods not exceeding ten years) and allowances for unusual expenses incident to the operation and maintenance of such living quarters similar to those and to be considered for all purposes as authorized by section 5913 of title 5.

(2) Make available in New York to no more than 30 foreign service employees of the staff of the United States Mission to the United Nations, other representatives, and no more than two employees who serve at the pleasure of the Representative, living quarters leased or rented by the United States (for periods not exceeding ten years). The number of employees to which such quarters will be made available shall be determined by the Secretary and shall reflect a significant reduction over the number of persons eligible for housing benefits as of October 1, 1988. No employee may occupy a unit under this provision if the unit is owned by the employee. The Secretary shall require that each employee occupying housing under this subsection contribute to the Department of State a percentage of his or her base salary, in an amount to be determined by the Secretary of State, toward the cost of such hous-

ing. The Secretary may reduce such payments to the extent of income taxes paid on the value of the leased or rented quarters any payments made by employees to the Department of State for occupancy by them of living quarters leased or rented under this section shall be credited to the appropriation, fund, or account utilized by the Secretary of State for such lease or rental or to the appropriation, fund, or account currently available for such purpose.

(3) provide<sup>1</sup> such allowance as the Secretary considers appropriate, to each Delegate and Alternate Delegate of the United States to any session of the General Assembly of the United Nations who is not a permanent member of the staff of the United States Mission to the United Nations, in order to compensate each such Delegate or Alternate Delegate for necessary housing and subsistence expenses incurred by him with respect to attending any such session.

(4) The Inspector General shall review the program established by this section no later than December 1989 and periodically thereafter with a view to increasing cost savings and making other appropriate recommendations.

(Dec. 20, 1945, ch. 583, §9, as added Pub. L. 93-126, §15, Oct. 18, 1973, 87 Stat. 454; amended Pub. L. 98-164, title II, §215, Nov. 22, 1983, 97 Stat. 1035; Pub. L. 100-459, title III, §304(b), Oct. 1, 1988, 102 Stat. 2207; Pub. L. 106-309, title IV, §405, Oct. 17, 2000, 114 Stat. 1098.)

CODIFICATION

“Section 3324(a) and (b) of title 31” substituted in introductory text for “section 3648 of the Revised Statutes (31 U.S.C. 3324)” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

“Section 5913 of title 5” substituted in par. (1) for “section 22 of the Administrative Expenses Act of 1946, as amended by section 311 of the Overseas Differentials and Allowances Act” on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

2000—Par. (2). Pub. L. 106-309 substituted “30 foreign service employees” for “18 foreign service employees”.

1988—Pub. L. 100-459, §304(b)(1), (3), substituted reference to Secretary of State for reference to President in introductory provisions and struck out last sentence providing that not more than fifty employees, including not more than five employees of the United States Information Agency, could receive an allowance under par. (1) of this section at any one time.

Par. (1). Pub. L. 100-459, §304(b)(1), (3), added par. (1) and struck out former par. (1) which read as follows: “grant any employee of the staff of the United States Mission to the United Nations designated by the Secretary of State, and any employee of the United States Information Agency designated by the Director of that Agency, who is required because of important representational responsibilities to live in the extraordinarily high-rent area immediately surrounding the headquarters of the United Nations in New York, New York, an allowance to compensate for the portion of expenses necessarily incurred by the employee for quarters and utilities which exceed the average of such expenses nec-

<sup>1</sup> So in original. Probably should be capitalized.