

109TH CONGRESS
2^D SESSION

S. _____

To require the withholding of United States contributions to the United Nations until the President certifies that the United Nations is not engaged in global taxation schemes.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To require the withholding of United States contributions to the United Nations until the President certifies that the United Nations is not engaged in global taxation schemes.

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 “Protection against
5 United Nations Taxation Act of 2006,” the “PUNT Act
6 of 2006,” or as the “Helms-Biden Reauthorization Act of
7 2006”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Congress has previously taken action in op-
4 position to United Nations taxation schemes in sec-
5 tion 921 of the United Nations Reform Act of 1999
6 (chapter 2 of title IX of the Admiral James W.
7 Nance and Meg Donovan Foreign Relations Act,
8 Fiscal Years 2000 and 2001 (as enacted into law by
9 section 1000(a)(7) of Public Law 106–113 and con-
10 tained in appendix G of that Act; 113 Stat. 1501A–
11 478) (commonly referred to as “Helms-Biden”).

12 (2) The 2005 United Nations’ Human Develop-
13 ment Report, released September 7, 2005, envisages
14 “raising additional revenue through international
15 taxation mechanisms”.

16 (3) The 2005 United Nations’ Human Develop-
17 ment Report states, “Several governments are as-
18 sessed the implications of an international tax on
19 aviation fuel. Even set at a low level, such a tax
20 could raise \$9-\$10 billion a year.”

21 (4) The 2005 United Nations’ Human Develop-
22 ment Report states, “Another proposal calls for a
23 flat-rate tax on airline passenger tickets,” with sev-
24 eral countries having “reached an agreement in prin-
25 ciple to introduce a national air ticketing tax to fi-
26 nance development spending”.

1 (5) The 2005 United Nations' Human Develop-
2 ment Report states, "Other countries have advocated
3 a tax on currency transactions. Indeed, Belgium has
4 already passed legislation on the adoption of a cur-
5 rency tax."

6 (6) It has been estimated that a "Tobin tax,"
7 named after Dr. James Tobin who first proposed it,
8 would raise \$13,000,000,000,000 from a small levy
9 on international currency transactions.

10 (7) The 2005 United Nations' Human Develop-
11 ment Report states, "Advocates for the use of inter-
12 national levies to mobilize financing for development
13 claim that the approach would produce important
14 benefits for the MDGs [Millennium Development
15 Goals] and beyond."

16 (8) The 2005 United Nations' Human Develop-
17 ment Report highlights the fact that, in a 2004 re-
18 port, the Government of France argues that new
19 international taxes and fees are a good idea.

20 (9) The 2005 United Nations' Human Develop-
21 ment Report recognizes that "the United States, in
22 particular, is opposed to the approach" of employing
23 international taxation mechanisms.

24 (10) United Nations officials have made numer-
25 ous and repeated proposals to provide financing for

1 the United Nations outside the scrutiny of Member
2 States of the United Nations, including borrowing
3 from international financial institutions, assuming
4 control of bonds issued by Member States, and im-
5 posing taxes on an extensive range of transactions,
6 goods, and services.

7 (11) The 1994 United Nations' Human Devel-
8 opment Report stated that "[i]t is appropriate that
9 the proceeds of an international tax be devoted to
10 international purposes and be placed at the disposal
11 of international institutions".

12 (12) On January 14, 1996, United Nations
13 General Secretary Boutros Boutros-Ghali stated that
14 an international tax would mean that "[he would]
15 not be under the daily financial will of the Member
16 States".

17 (13) The United Nations and its organizations
18 are replete with mismanagement, waste, corruption,
19 and inefficiency which cost American taxpayers mil-
20 lions of dollars each year.

21 (14) The power to tax is an attribute of sov-
22 ereignty.

23 (15) The United Nations does not have the at-
24 tributes of sovereignty and is not a sovereign power.

1 (16) The United Nations has no legal authority
2 to impose taxes on United States citizens.

3 (17) On August 30, 2005, the United States
4 Representative to the United Nations wrote to col-
5 leagues at the United Nations to caution against
6 international spending targets “which bear no rela-
7 tion to countries’ needs or ability to use aid effec-
8 tively” and to warn against “ignor[ing] the need for
9 an enabling environment at the national level for aid
10 to be effective in promoting development”.

11 (18) The Report of the United Nations Com-
12 mission on the Private Sector and Development esti-
13 mates that developing countries have
14 \$9,400,000,000,000 in private financial assets that
15 cannot be fully mobilized because of corruption and
16 inadequate legal protection for property and con-
17 tracts.

18 (19) On August 30, 2005, the United States
19 Representative to the United Nations observed,
20 “Prosperity requires institutions at the national level
21 that generate wealth and enable countries to partici-
22 pate in the global economy.”

23 (20) As a matter of prioritization, foreign na-
24 tional and international corruption and legal protec-
25 tion for property and contracts must be addressed

1 before additional spending of American taxpayer dol-
2 lars on foreign aid exacerbates these problems.

3 (21) On August 30, 2005, the United States
4 Representative to the United Nations observed, “De-
5 velopment is about putting into place a complex set
6 of policies and institutions that will generate eco-
7 nomic growth and sustain it over the long haul to
8 the benefit of all countries.”

9 (22) On August 30, 2005, the United States
10 Representative to the United Nations observed, “A
11 global partnership is predicated on the acceptance by
12 developing countries of their national responsibility
13 to undertake specific reforms to improve their eco-
14 nomic governance and respect for human rights and
15 the rule of law.”

16 (23) On August 30, 2005, the United States
17 Representative to the United Nations stated clearly
18 and firmly that “the United States is unable to
19 agree” to “new open-ended donor financial commit-
20 ments”.

21 (24) On August 30, 2005, the United States
22 Representative to the United Nations stated clearly
23 and firmly that “the U.S. does not accept global aid
24 targets or global taxes”.

1 (25) Any activity by United Nations officials,
2 personnel, agents, or contractors to develop, advoco-
3 cate, or promote international taxes or fees, except
4 as noted in section 3(b)(4), is unacceptable and
5 must be thoroughly investigated.

6 (26) On August 30, 2005, the United States
7 Representative to the United Nations cautioned
8 against “global governance” and objected to
9 “assert[ing] a primacy for the United Nations in
10 international economic governance without respect-
11 ing the roles and mandates of other institutions”.

12 (27) On March 21, 2005, United Nations Sec-
13 retary-General Kofi Annan addressed the General
14 Assembly to present a report entitled, “In Larger
15 Freedom” that advocates, “Global development as-
16 sistance must be more than doubled over the next
17 few years....Each developed country that has not al-
18 ready done so should establish a timetable to achieve
19 the 0.7% target of gross national income for official
20 development assistance no later than 2015, starting
21 with significant increases no later than 2006, and
22 reaching 0.5% by 2009. The increase should be
23 front-loaded through an International Finance Facil-
24 ity, and other innovative sources of financing should
25 be considered for the longer term.”

1 (28) The term “innovative sources of financ-
2 ing” involves developing, advocating, endorsing, pub-
3 licizing, promoting, and collecting international taxes
4 and fees.

5 (29) According to the “In Larger Freedom” re-
6 port, the United Nations proposes to create an inter-
7 national revenue service named the International Fi-
8 nance Facility.

9 (30) This proposed international revenue serv-
10 ice would extract long-term binding financial com-
11 mitments from developed nations and collect this
12 money.

13 (31) This proposed international revenue serv-
14 ice would also issue debt on the global market for
15 bonds issued by supranational institutions and agen-
16 cies and transfer wealth to developing nations.

17 (32) The January 2003 proposal of the United
18 Kingdom for an International Financing Facility,
19 which the United Nations has endorsed, states,
20 “There have been other proposals for new and inno-
21 vative ways to raise funds to meet these goals, in-
22 cluding a Tobin tax, arms tax and an issue of IMF
23 special drawing rights (SDRs).”

24 (33) On Friday, June 10, 2005, at the United
25 Nations in New York, the Inter-Parliamentary

1 Union (IPU), in cooperation with the United Na-
2 tions Department for Economic and Social Affairs
3 (Financing for Development Office), organized a
4 panel discussion entitled, “Promoting innovative
5 sources of financing for development: What role for
6 parliaments?”.

7 (34) The United Nations panel of June 10,
8 2005, laid the lobbying groundwork for global taxes
9 and fees, stating “The panel aimed at providing the
10 United Nations with a first direct impression of the
11 political support that currently exists at the par-
12 liamentary level or that may be mobilized in future
13 for innovative sources of development financing.”

14 (35) The United Nations panel of June 10,
15 2005, concluded that “most proposed new sources of
16 financing will eventually require a legislative frame-
17 work either to regulate existing financing mecha-
18 nisms or to create brand new ones”.

19 (36) The United Nations panel of June 10,
20 2005, stated, “[T]he role of parliaments is essential
21 to mobilize the required political support for the var-
22 ious innovative mechanisms on the table.”

23 (37) The United Nations panel of June 10,
24 2005, lobbied to maximize new international taxes,
25 “The seven parliamentarians on the panel agreed

1 that no single innovative proposal alone would suf-
2 fice to fill the financing gap left open by traditional
3 sources (estimated between 50 and 100 billion dol-
4 lars a year). It was important therefore that a num-
5 ber of proposals be advanced at the same time.”

6 (38) The United Nations panel of June 10,
7 2005, explained the rationale behind the first, most
8 promising way to levy new international revenues
9 from the likes of United States nationals, stating,
10 “Among these, the IFF was likely to be a favourite
11 because it did not require universality, could mobi-
12 lize considerable sums, created a more predictable
13 and stable flow, and could easily be scrutinized by
14 contributing countries’ parliaments. Because the
15 IFF can be implemented in the short term, it con-
16 stitutes the most rapid response....The first IFF, to
17 raise \$4 billion. . . will be launched this year.”

18 (39) The United Nations panel of June 10,
19 2005, lobbied to find the most efficient way to trans-
20 fer wealth out of the United States, stating, “On re-
21 mittances, the impression of the panel was that it
22 should not be too difficult to find some creative solu-
23 tion to reduce the average 20 percent transaction
24 fee, and thus increase the overall flow.”

1 (40) The United Nations panel of June 10,
2 2005, lobbied to make life easier for illegal immi-
3 grants, stating, “A more intractable problem, how-
4 ever, has to do with facilitating money transfers for
5 illegal migrants who fear exposure to the authorities.
6 The situation has become particularly difficult in the
7 United States, the largest remittance-sending coun-
8 try, following the tightening of security measures
9 since the September 11th attacks.”

10 (41) The United Nations panel of June 10,
11 2005, confronted the challenges of international tax-
12 ation and offered some glimmer of hope, “When it
13 comes to discussions about international taxation,
14 some of the parliamentarians on the panel felt
15 strongly that this would for several years to come be
16 a political non-starter in too many legislatures (al-
17 though the Canadian House of Commons did adopt
18 a motion on an international currency transaction
19 tax that expressed support for such a tax ‘in concert
20 with the international community’). The reasons ad-
21 duced for this negative assessment were the classic
22 ones: international taxes can distort investment and
23 trade flows, can undermine national sovereignty,
24 may be impossible to universalize, and may even

1 tamper with a country's defence capacities (in the
2 case of taxes on arms sales).”

3 (42) In order to tax with the greatest of ease,
4 the United Nations panel of June 10, 2005, advo-
5 cated the following: “For other panelists, however,
6 at least some new fiscal levies could be instituted
7 without seeking a universal consensus. The best ex-
8 ample of this is given by flight departure taxes;
9 these can be implemented at the country level and
10 can generate a fairly predictable and rich stream.”

11 (43) On August 28, 2005, Asia-Europe Dia-
12 logue & Partner offered their Declaration on Innova-
13 tive Sources of Financing for Development, “At the
14 initiative of President Luiz Inácio Lula da Silva, of
15 Brazil, we gathered in New York, on 20th Sep-
16 tember 2004, to ... increase financing for develop-
17 ment. ... [T]he international discussions of innova-
18 tive sources of funding have gained momentum. The
19 issue has become a regular feature in UN discus-
20 sions on financing for development and has been in
21 the agenda of multilateral financial institutions and
22 other important international fora.”

23 (44) The United Nations General Assembly
24 agenda item dated on October 15, 2004, and titled
25 “Follow-up to and implementation of the outcome of

1 the International Conference on Financing for De-
2 velopment” states the determination of the General
3 Assembly “to continue to implement and build fur-
4 ther on the commitments made and agreements
5 reached at the International Conference on Financ-
6 ing for Development and to strengthen the coordi-
7 nated and coherent engagement of all relevant stake-
8 holders in the financing for development process”.

9 (45) The World Federalist Movement Web page
10 on Global Economic Governance states that organi-
11 zation’s position on global levies or taxes, noting the
12 United Nations’ calls for major efforts to mobilize
13 additional financial resources and stating that a
14 treaty or convention for collection of revenues for
15 funding is in the works: “For multilateral institu-
16 tions to be effective and independent they must have
17 stable and adequate funding. There is a fundamental
18 need for new financial mechanisms to provide for a
19 strengthened and democratized multilateral system.
20 Since the U.N. conference on Financing for Develop-
21 ment in 2002, more intergovernmental attention has
22 been given to the possibility of innovative sources of
23 finance such as environmental charge, currency
24 transaction taxation, taxation of arms trade, Inter-
25 national Financial Facility as proposed by the Brit-

1 ish government, and remittance's benefits as well as
2 voluntary contributions through credit cards and lot-
3 teries.

4 “Several reports have been written on the feasi-
5 bility of some of these innovative sources of finance
6 by Member-States and U.N. bodies. In the note by
7 the U.N. Secretary-General on innovative sources of
8 financing for development, he calls for ‘major efforts
9 by developing countries and the international com-
10 munity to mobilize additional financial resource’.
11 Brazil, France, Chile and Spain have taken the lead
12 in a campaign for Action against Hunger and Pov-
13 erty emphasizing the need for innovative finance
14 mechanisms if the Millennium Development Goals
15 (MDGs) are to be accomplished.

16 “Whereas the current intergovernmental debate
17 about innovative sources of finance is placed within
18 the framework of financing development and more
19 specifically the MDGs, WFM believes that the de-
20 bate should be seen in a broader perspective to also
21 include the element of independent funding of multi-
22 lateral organizations.

23 “At present the most powerful countries provide
24 the vast majority of funding for international organi-
25 zations and possess an immense and unbalanced

1 control over the political decisions of these organiza-
2 tions. To reverse this trend, WFM calls for a mix-
3 ture of state and independent funding of inter-
4 national organizations to ensure fair and democratic
5 decision-making processes exempt from power poli-
6 tics. WFM thus believes that independent funding
7 for multilateral organizations would address the
8 challenges and obstacles for achieving democratic
9 global governance.

10 “WFM specifically consider the global taxation
11 of transnational currency transactions to be the
12 most important source of independent funding and
13 advocates a global implementation of the Tobin tax.
14 Eventually, in cooperation with other NGOs and
15 legal experts, WFM hopes to draft a treaty or con-
16 vention for collection of revenues for funding the
17 multilateral system that can be proposed and carried
18 forth in intergovernmental processes.”

19 (46) The International Financial Institutions in
20 Latin America state on their Web page the fol-
21 lowing: “Another study on innovative sources of fi-
22 nancing for development, commissioned by the U.N.
23 from WIDER (The World Institute for Development
24 Economics Research), was published in August
25 2004. Undertaken by Professor Anthony B. Atkin-

1 son of Nuffield College, Oxford University, the study
2 examines some of the same potential sources for ad-
3 ditional aid as well as considering how international
4 taxes might be administered by national authorities.

5 “In addition to the Tobin tax, it considers a
6 global environmental levy, a carbon-use tax, applied
7 at a rate of US4.8 cents a US gallon (E 0.01 per
8 litre). This tax ‘levied only on high-income countries
9 could indeed raise some US\$60 billion a year.’.”

10 (47) On August 17, 2004, the United Nations
11 General Assembly distributed a document entitled,
12 “Innovative Sources of Financing for Development”,
13 which stated the following:

14 “The General Assembly, in its resolution
15 58/230 of 23 December 2003, decided to con-
16 sider at its fifty-ninth session possible innova-
17 tive sources of financing for development, and
18 requested the Secretary-General to submit the
19 result of the analysis on this issue as called for
20 in paragraph 44 of the Monterrey Consensus of
21 the International Conference on Financing for
22 Development. In the Consensus, heads of State
23 and Government recognized the value of explor-
24 ing innovative sources of finance provided that
25 those sources did not unduly burden developing

1 countries, and agreed to study, in the appro-
2 priate forums, the results of the analysis re-
3 quested from the Secretary-General on possible
4 innovative sources of finance.

5 “In this connection, it should be recalled
6 that the General Assembly, in the context of the
7 five-year review of the implementation of the
8 outcome of the World Summit for Social Devel-
9 opment, adopted resolution S-24/2 of 1 July
10 2000, on further initiatives for social develop-
11 ment, in which it called for a rigorous analysis
12 of the advantages, disadvantages and other im-
13 plications of proposals for developing new and
14 innovative sources of funding, both public and
15 private, for dedication to social development
16 and poverty eradication programmes.

17 “In response to the decisions of the Assem-
18 bly, the Department of Economic and Social
19 Affairs of the United Nations Secretariat com-
20 missioned the World Institute for Development
21 Economics Research of the United Nations
22 University (UNUWIDER) to undertake, during
23 the period from 2003 to 2004, a study of new
24 and innovative sources of development finance.
25 The purpose of the study was not to devise new

1 financing mechanisms for development but to
2 consider some of the better-known existing pro-
3 posals, focusing on their design and policy im-
4 plications. An international expert on fiscal
5 issues, Professor Anthony B. Atkinson, Warden
6 of Nuffield College, Oxford University, led the
7 project, which engaged a number of academics
8 to prepare separate papers on a selection of in-
9 novative financing proposals. The UNU-
10 WIDER study, entitled New Sources of Devel-
11 opment Finance, will be published by Oxford
12 University Press in 2004.

13 “An edited version of a policy-focused sum-
14 mary, entitled ‘New Sources of Development Fi-
15 nance: Funding the Millennium Development
16 Goals’, prepared by Professor Atkinson in his
17 capacity as director of the UNU-WIDER study,
18 is contained in the annex to the present note.
19 It presents the analytical framework, short
20 summaries of the seven proposed sources of
21 funding (i.e., global environmental taxes, tax on
22 currency transactions, creation of new special
23 drawing rights, an international finance facility,
24 increased private donations for development, a
25 global lottery and global premium bond, and in-

1 creased remittances from emigrants), an over-
2 view of the key findings, and some conclu-
3 sions.”.

4 (48) The foreword to the United Nations Uni-
5 versity book entitled “New Sources of Development
6 Finance” observes that, “Proposals for any form of
7 global taxation meet immediate opposition from pow-
8 erful elements in the US Congress. On the other
9 hand, there is widespread appreciation of the need
10 for new resource flows. . . .”

11 (49) The foreword to the book also explains
12 that earmarking of taxes for particular uses can be
13 an effective tactic for the implementation of new
14 taxes, stating that “[w]e can learn from the analysis
15 of the ear-marking of taxes. . . .”

16 (50) The foreword to the book also clearly ex-
17 plains the lobbying goal of the book, stating, “The
18 ultimate aim is to help break the present impasse in
19 external finance for developing countries, and we be-
20 lieve this study will make an important contribution
21 to the debate.”

22 (51) One contributor to New Sources of Devel-
23 opment Finance suggests that taxes be collected by
24 national governments and then provided for inter-
25 national purposes, perhaps through “an inter-

1 national agency”. Another contributor suggests the
2 establishment of a “World Tax Authority” under the
3 United Nations system.

4 (52) In June 2001, Ruben P. Mendez, formerly
5 of the United Nations Development Programme,
6 presented a paper entitled “The Case for Global
7 Taxes: An Overview” to the United Nations ad hoc
8 Expert Group Meeting on Innovation in Mobilizing
9 Global Resources for Development.

10 (53) In “The Case for Global Taxes” Mr.
11 Mendez claims that as a percentage of gross na-
12 tional product, official development assistance from
13 the United States to foreign nations “runs at about
14 0.22 per cent, or less than one-third of the univer-
15 sally accepted norm of 0.7 per cent” and explains
16 that the public transfer of resources from the United
17 States to foreign nations could be brought to 22 to
18 28 percent, or one hundred times what it is now,
19 through a formal system of international taxation of
20 the United States.

21 (54) According to Jeffrey D. Sachs, a Special
22 Advisor to United Nations Secretary-General Annan
23 on the Millennium Development Goals, the rate of
24 United States assistance remains at 0.15 percent

1 and, therefore, “We are short by \$65 billion each
2 year.”

3 (55) In his 2001 United Nations paper, Mr.
4 Mendez states, “Permits to pollute, in fact, are a
5 form of corrective, or ‘Pigovian’, taxation and could
6 presage the acceptance of global taxation per se in
7 view of the interest of the big industrial polluting
8 nations in this approach.”

9 (56) The 2001 United Nations paper continues,
10 “In the international economy, however, the global
11 commons are generally used free of charge. It is
12 therefore only logical to have a system of global
13 taxes, or user charges. The global commons may be
14 defined as those physical attributes of the universe
15 that fall outside national jurisdiction or ownership.
16 In addition to the traditional, tangible kinds of geo-
17 graphical space and features, e.g., land, bodies of
18 water, ocean depths, air, natural resources and eco-
19 systems, they include impalpable but nevertheless
20 important physical facts such as the different levels
21 of outer space, the orbits of geostationary satellites,
22 and the electromagnetic spectrum.”

23 (57) The 2001 United Nations paper reflects,
24 “Nobel Memorial Prize-winning economist James
25 Tobin of Yale has proposed taxing foreign exchange

1 transactions....Professor Tobin has noted that it
2 could also be a ‘terrific fund raiser’ that ‘could cover
3 everything’—a potential that has not been lost on
4 people concerned with international fund raising,
5 who have now latched on to the ‘Tobin tax’ band-
6 wagon.”

7 (58) Journalist Steven Solomon, a former staff
8 reporter at Forbes Magazine, estimates that the
9 Tobin tax “might net some \$13 trillion a year”.

10 (59) The 2001 United Nations paper alter-
11 nately advocates the creation of a foreign currency
12 exchange to replace the role banks currently play
13 and to levy user charges.

14 (60) The 2001 United Nations paper also advo-
15 cates an ad valorem tax on international trade,
16 which the paper claims is justified, arguing, “trade
17 uses the global commons, and 95% consists of goods
18 transported by ocean freight. It would be a form of
19 user fee. An alternative would be a tax on ocean
20 freight.”

21 (61) The 2001 United Nations paper also advo-
22 cates, “Military expenditures and arms transfers
23 could also be taxed.”

24 (62) The 2001 United Nations paper also advo-
25 cates, “Taxes could also be on specific traded com-

1 modities, for instance, internationally traded oil,
2 other exhaustible materials...or manufactured
3 goods.”

4 (63) The 2001 United Nations paper also advo-
5 cates “serious attempts to compensate [developing
6 countries] for the opportunity costs of conservation
7 or to promote the generation of positive externalities
8 whose returns these countries are unable to cap-
9 ture”.

10 (64) The 2001 United Nations paper also advo-
11 cates taxing, overflight, stating, “Like the high seas,
12 international air space provides a passage for inter-
13 national transport. Since it lies outside national ju-
14 risdiction, is used by aircraft of various nations and
15 is congestible, there is logic behind having the inter-
16 national public sector assert global ownership and
17 charge user fees. One way this could be accom-
18 plished is through a surcharge on international air
19 tickets, a proposal suggested by former Secretary-
20 General Boutros Boutros-Ghali, but not repeated
21 since an outcry by a group of US congressmen.”

22 (65) The 2001 United Nations paper also advo-
23 cates, “In addition to taxing and tapping foreign ex-
24 change transactions, discussed at the beginning of
25 this section, there are two measures of a monetary

1 nature, with considerable possibilities for fund rais-
2 ing, that are worth revisiting: Special drawing rights
3 (SDRs) and IMF gold holdings.”

4 (66) The 2001 United Nations paper also advo-
5 cates, “The ‘Bhagwati tax’ is one of many which
6 have an economic and ethical rationale but must be
7 appraised in terms of political and national juridical
8 considerations. Although not presented initially with-
9 in a public economics framework, it can be seen as
10 a way for the developed countries to compensate
11 generators of positive externalities—the countries of
12 origin of the highly trained emigrants, who benefit
13 the receiving countries and do not produce returns
14 that can be captured by their home countries. Such
15 taxes have existed for some time, such as the exit
16 taxes of the Russian Federation and the former
17 USSR, although Bhagwati’s point is that it is the
18 beneficiaries, including the recipient countries, which
19 should pay the taxes.”

20 (67) In the 2001 United Nations paper,
21 Mendez declared that, “The concept of automaticity
22 in international public financing [mandatory inter-
23 national taxation] was first discussed in an official
24 international forum in 1977, at the United Nations
25 Conference on Desertification (UNCOD) in Nairobi.

1 It was developed and incorporated in concrete pro-
2 posals in subsequent studies and reports, in 1978
3 and 1980, by the United Nations Environmental
4 Programme (UNEP) and the Secretary-General to
5 the Economic and Social Council (ECOSOC) and
6 the General Assembly on financing the UNCOD
7 Plan of Action.⁷ These proposals were first analysed
8 in an international public finance framework in my
9 1992 book on the subject. . . .”

10 (68) The global tax proposals have thus been
11 developed from 1977 to the present, calling into
12 question the validity of the Helms-Biden certification
13 required under section 921 of the United Nations
14 Reform Act of 1999 (chapter 2 of title IX of the Ad-
15 miral James W. Nance and Meg Donovan Foreign
16 Relations Act, Fiscal Years 2000 and 2001 (as en-
17 acted into law by section 1000(a)(7) of Public Law
18 106–113 and contained in appendix G of that Act;
19 113 Stat. 1501A–478) (commonly referred to as
20 “Helms-Biden”)).

21 (69) The 2001 United Nations paper concludes
22 simply that “the dawn of global taxation appears to
23 be at hand”.

24 (70) The handling by the United Nations of the
25 global tax issue is discussed in the book, “World

1 (1) CERTIFICATION REQUIRED.—The certifi-
2 cation referred to in subsection (a) is an annual cer-
3 tification made by the President to Congress that
4 the following conditions have been met:

5 (A) NO UNITED NATIONS LEGAL TAXATION
6 AUTHORITY.—Except as provided in paragraph
7 (2), neither the United Nations nor any of its
8 specialized or affiliated agencies nor any other
9 international organization has the authority
10 under United States law to impose taxes or fees
11 on the United States Government or on the sev-
12 eral States or on United States corporate citi-
13 zens or on United States nationals.

14 (B) NO TAXES OR FEES.—Except as pro-
15 vided in paragraph (2), a tax or fee has not
16 been imposed on the United States Government
17 or on the several States or on United States
18 corporate citizens or on United States nationals
19 by the United Nations or any of its specialized
20 or affiliated agencies or any other international
21 organization.

22 (C) NO TAXATION PROPOSALS.—Except as
23 provided in paragraph (2), neither the United
24 Nations nor any of its specialized or affiliated
25 agencies nor any other international organiza-

1 (2) IN SENATE.—It shall not be in order in the
2 Senate to consider any bill, joint resolution, amend-
3 ment, motion, or conference report suspending,
4 waiving, or repealing the requirement in section
5 3(a).

6 (b) WAIVER OF RULE IN SENATE.—Subsection (a)
7 may be waived or suspended in the Senate only by the
8 affirmative vote of two-thirds of the Members, duly chosen
9 and sworn.

10 (c) APPEALS.—

11 (1) PROCEDURE.—Appeals in the Senate from
12 the decisions of the Chair relating to any provision
13 of this section shall be limited to 1 hour, to be
14 equally divided between, and controlled by, the
15 mover and the manager of the bill, resolution,
16 amendment, or conference report, as the case may
17 be.

18 (2) SUSTAINABILITY OF APPEAL.—An affirma-
19 tive vote of three-fifths of the Members, duly chosen
20 and sworn, shall be required in the Senate to sustain
21 an appeal of the ruling of the Chair on a point of
22 order raised under this section.