

108TH CONGRESS
1ST SESSION

H. RES. 446

Expressing the sense of the House of Representatives that the Supreme Court should base its decisions on the Constitution and the Laws of the United States, and not on the law of any foreign country or any international law or agreement not made under the authority of the United States.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2003

Mr. RYUN of Kansas (for himself, Mr. OTTER, Mr. SAM JOHNSON of Texas, Mrs. MUSGRAVE, Mr. ISTOOK, Mr. BARRETT of South Carolina, Mr. WILSON of South Carolina, Mr. TOOMEY, and Mr. HOSTETTLER) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Expressing the sense of the House of Representatives that the Supreme Court should base its decisions on the Constitution and the Laws of the United States, and not on the law of any foreign country or any international law or agreement not made under the authority of the United States.

Whereas article VI, clause 2 of the Constitution provides in part that the “Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Au-

thority of the United States, shall be the supreme Law of the Land”;

Whereas article VI, clause 3 of the Constitution provides in part that “The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution”;

Whereas the role of the Supreme Court is to interpret laws based on the Constitution;

Whereas the Supreme Court has cited world opinions and laws in two recently decided cases, *Atkins v. Virginia* and *Lawrence v. Texas*; and

Whereas the laws of foreign countries, and international laws and agreements not made under the authority of the United States, have no legal standing under the United States legal system: Now, therefore, be it

1 *Resolved,*

2 **SECTION 1. SHORT TITLE.**

3 This Resolution may be cited as the “Constitutional
4 Preservation Resolution”.

5 **SEC. 2. SENSE OF THE HOUSE OF REPRESENTATIVES.**

6 It is the sense of the House of Representatives that,
7 pursuant to article VI of the Constitution, the Supreme
8 Court should base its decisions on the Constitution and
9 the Laws of the United States, and not on the law of any

- 1 foreign country or any international law or agreement not
- 2 made under the authority of the United States.

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