

106TH CONGRESS
1ST SESSION

H. J. RES. 63

Proposing an amendment to the Constitution of the United States relating to the legal effect of certain treaties and other international agreements.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 1999

Mr. CHENOWETH introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relating to the legal effect of certain treaties and other international agreements.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 *(two-thirds of each House concurring therein),* That the fol-
4 lowing article is proposed as an amendment to the Con-
5 stitution of the United States, which shall be valid to all
6 intents and purposes as part of the Constitution when
7 ratified by the legislatures of three-fourths of the several
8 States within seven years after the date of its submission
9 for ratification:

1 “ARTICLE —

2 “SECTION 1. A provision of a treaty which denies or
3 abridges any right enumerated in this Constitution shall
4 not be of any force or effect.

5 “SECTION 2. A provision of a treaty which denies or
6 abridges legislative authority of the several States shall
7 not be of any force or effect unless ratified by three-
8 fourths of the State legislatures within five years of the
9 date of the ratification of the treaty by the Senate.

10 “SECTION 3. No treaty shall authorize or permit any
11 foreign power or any international organization to super-
12 vise, control, or adjudicate rights of citizens of the United
13 States enumerated in this Constitution or any other mat-
14 ter essentially within the domestic jurisdiction of the
15 United States or the several States. No decision of any
16 international body purporting to interpret treaties to
17 which the United States is a party shall be given any pre-
18 edential effect by the courts of the United States or the
19 several States in any proceeding concerning any matter
20 essentially within the domestic jurisdiction of the United
21 States or the several States.

22 “SECTION 4. A treaty shall become effective as inter-
23 nal law in the United States only through the enactment
24 of appropriate legislation by the Congress. This section
25 shall not be construed to grant Congress any authority

1 to enact legislation that is not otherwise authorized by a
2 specific grant of legislative authority in this Constitution.

3 “SECTION 5. All agreements between the United
4 States and other nations which have any binding effect
5 of law upon this Nation or its citizens are treaties and
6 shall be subject to the procedures and limitations for trea-
7 ties set forth in this article and other provisions of this
8 Constitution.

9 “SECTION 6. Not later than 21 days after a treaty
10 is signed on behalf of the United States, the President
11 shall transmit the text of that treaty to the Senate for
12 ratification.”.

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