

106TH CONGRESS
1ST SESSION

H. R. 63

To prohibit the use of funds to administer or enforce the provisions of Executive Order 13107, relating to the implementation of certain human rights treaties.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

Mr. BARR of Georgia introduced the following bill; which was referred to the Committee on International Relations

A BILL

To prohibit the use of funds to administer or enforce the provisions of Executive Order 13107, relating to the implementation of certain human rights treaties.

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 States Federal
5 Government Preservation Act of 1999”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Article II, section 2, clause 2 of the Con-
9 stitution of the United States provides that “He [the

1 President] shall have Power, by and with the Advice
2 and Consent of the Senate, to make Treaties, pro-
3 vided two thirds of the Senators present concur;”.

4 (2) The International Covenant on Civil and
5 Political Rights (ICCPR), the Convention Against
6 Torture and Other Cruel, Inhuman or Degrading
7 Treatment or Punishment (CAT), the Convention on
8 the Elimination of All Forms of Racial Discrimina-
9 tion (CERD), and other relevant treaties concerned
10 with the protection and promotion of human rights,
11 are treaties with respect to which the Senate has not
12 given its advice and consent to ratification.

13 (3) On December 10, 1998, President Clinton
14 circumvented the intention of the Framers of the
15 Constitution by issuing Executive Order 13107 (63
16 Fed. Reg. 68991 (December 15, 1998)) which states
17 in part “[i]t shall be the policy and practice of the
18 Government of the United States, being committed
19 to the protection and promotion of human rights
20 and fundamental freedoms, fully to respect and im-
21 plement its obligations under international human
22 rights treaties to which it is a party, including the
23 ICCPR, the CAT, and the CERD.”.

24 (4) Executive Order 13107 also states that
25 “[a]ll executive departments and agencies . . . shall

1 maintain a current awareness of United States inter-
2 national human rights obligations that are relevant
3 to their functions and shall perform such functions
4 so as to respect and implement those obligations
5 fully. The head of each agency shall designate a sin-
6 gle contact officer who will be responsible for overall
7 coordination of the implementation of this order.”.

8 (5) Executive Order 13107 also establishes an
9 Interagency Working Group in Human Rights Trea-
10 ties for the “purpose of providing guidance, over-
11 sight, and coordination with respect to questions
12 concerning the adherence to and implementation of
13 human rights obligations and related matters.”.

14 **SEC. 3. PROHIBITION ON USE OF FUNDS TO ADMINISTER**
15 **OR ENFORCE EXECUTIVE ORDER 13107.**

16 None of the funds appropriated in any Act for any
17 fiscal year may be used to administer or enforce the provi-
18 sions of Executive Order 13107 (63 Fed. Reg. 68991 (De-
19 cember 15, 1998); relating to the implementation of cer-
20 tain human rights treaties).

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