

106TH CONGRESS
1ST SESSION

H. R. 663

To provide that the provisions of Executive Order 13107, relating to the implementation of certain human rights treaties, shall not have any legal effect.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 1999

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

A BILL

To provide that the provisions of Executive Order 13107, relating to the implementation of certain human rights treaties, shall not have any legal effect.

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
12 given its advice and consent to ratification, however,
13 the votes for such advice and consent to ratification
14 were not formal roll call votes but instead voice votes
15 which do not provide a record as to how each indi-
16 vidual Senator voted on each of these treaties.

17 (3) On December 10, 1998, President Clinton
18 issued Executive Order 13107 (63 Fed. Reg. 68991
19 (December 15, 1998)) which states in part “[i]t
20 shall be the policy and practice of the Government
21 of the United States, being committed to the protec-
22 tion and promotion of human rights and fundamen-
23 tal freedoms, fully to respect and implement its obli-
24 gations under international human rights treaties to

1 which it is a party, including the ICCPR, the CAT,
2 and the CERD.”.

3 (4) Executive Order 13107 also states that
4 “[a]ll executive departments and agencies . . . shall
5 maintain a current awareness of United States inter-
6 national human rights obligations that are relevant
7 to their functions and shall perform such functions
8 so as to respect and implement those obligations
9 fully. The head of each agency shall designate a sin-
10 gle contact officer who will be responsible for overall
11 coordination of the implementation of this order.”.

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

18 **SEC. 3. NULLIFICATION OF EXECUTIVE ORDER 13107.**

19 The provisions of Executive Order 13107 (63 Fed.
20 Reg. 68991 (December 15, 1998); relating to the imple-
21 mentation of certain human rights treaties) shall not have
22 any legal effect.

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