

110TH CONGRESS
2D SESSION

H. R. 6054

To establish a United States Human Rights Commission to monitor compliance by the United States with international human rights treaty obligations.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2008

Mr. DELAHUNT introduced the following bill; which was referred to the
Committee on Foreign Affairs

A BILL

To establish a United States Human Rights Commission to monitor compliance by the United States with international human rights treaty obligations.

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 “Human Rights Com-
5 mission Act of 2007”.

6 **SEC. 2. ESTABLISHMENT OF HUMAN RIGHTS COMMISSION.**

7 There is established a commission to be known as the
8 “Human Rights Commission” (in this Act referred to as
9 the “Commission”).

1 **SEC. 3. DUTY OF HUMAN RIGHTS COMMISSION.**

2 The Commission shall monitor the compliance by the
3 United States with all international human rights treaties
4 to which the United States is a party (including all such
5 treaties to which the United States becomes a party at
6 any time after the date of the enactment of this Act), in-
7 cluding the following:

8 (1) The Convention to Suppress the Slave
9 Trade and Slavery (September 25, 1926, as amend-
10 ed by the Protocol of December 7, 1953).

11 (2) The Convention on the Prevention and Pun-
12 ishment of the Crime of Genocide (December 9,
13 1948).

14 (3) The Convention relative to the Treatment of
15 Prisoners of War (August 12, 1949).

16 (4) The Convention relative to the Protection of
17 Civilian Persons in Time of War (August 12, 1949).

18 (5) The Convention on the Political Rights of
19 Women (December 20, 1952).

20 (6) The Supplementary Convention on the Abo-
21 lition of Slavery, the Slave Trade, and Institutions
22 and Practices Similar to Slavery (September 7,
23 1956).

24 (7) The Abolition of Forced Labour Convention
25 of June 25, 1957 (ILO Convention 105).

1 (8) The International Convention on the Elimini-
2 nation of All Forms of Racial Discrimination (De-
3 cember 21, 1965).

4 (9) The International Covenant on Civil and
5 Political Rights (December 16, 1966).

6 (10) The Protocol Relating to the Status of
7 Refugees (January 31, 1967).

8 (11) The Convention Against Torture and
9 Other Cruel, Inhuman or Degrading Treatment or
10 Punishment (December 10, 1984).

11 (12) The Worst Forms of Child Labour Con-
12 vention (June 17, 1999) (ILO Convention 182).

13 (13) The Supplementary Convention on the
14 Abolition of Slavery, the Slave Trade, and Institu-
15 tions and Practices Similar to Slavery (September 7,
16 1956).

17 (14) The Optional Protocol to the Convention
18 on the Rights of the Child on the involvement of
19 children in armed conflicts (May 25, 2000).

20 (15) The Optional Protocol to the Convention
21 on the Rights of the Child on the sale of children,
22 child prostitution and child pornography (May 25,
23 2000).

1 (16) The Convention for the Amelioration of
2 the Condition of the Wounded and Sick in the
3 Armed Forces in the Field (August 12, 1949).

4 (17) The Convention for the Amelioration of
5 the Condition of Wounded, Sick and Shipwrecked
6 Members of Armed Forces at Sea (August 12,
7 1949).

8 (18) The Inter-American Convention on the
9 Granting of Political Rights to Women (May 2,
10 1948).

11 (19) The Inter-American Convention on the
12 Nationality of Women (December 26, 1933).

13 **SEC. 4. COMMISSION MEMBERSHIP.**

14 (a) SELECTION AND APPOINTMENT OF MEMBERS.—
15 The Commission shall be composed of 18 members, as fol-
16 lows:

17 (1) Nine Members of the House of Representa-
18 tives appointed by the Speaker of the House of Rep-
19 resentatives. Five Members shall be selected from
20 the majority party and four Members shall be se-
21 lected, after consultation with the minority leader of
22 the House of Representatives, from the minority
23 party. The nine Members shall include the Chairman
24 and Ranking Minority Member of the Subcommittee
25 on International Organizations, Human Rights, and

1 Oversight of the Committee on Foreign Affairs and
2 the Chairman and Ranking Minority Member of the
3 Subcommittee on Immigration, Citizenship, Refu-
4 gees, Border Security, and International Law of the
5 Committee on the Judiciary.

6 (2) Nine Members of the Senate appointed by
7 the President of the Senate. Five Members shall be
8 selected from the majority party of the Senate, after
9 consultation with the majority leader, and four
10 Members shall be selected, after consultation with
11 the minority leader of the Senate, from the minority
12 party. The nine Members shall include the Chairman
13 and Ranking Minority Member of the Subcommittee
14 on International Operations and Organizations, De-
15 mocracy and Human Rights of the Committee on
16 Foreign Relations and the Chairman and Ranking
17 Minority Member of the Subcommittee on Human
18 Rights and the Law of the Committee on the Judici-
19 ary.

20 (b) COMMISSION CHAIRMAN AND CO-CHAIRMAN.—

21 (1) IN GENERAL.—The Commission shall have
22 a Chairman and a Co-Chairman.

23 (2) DESIGNATION OF CHAIRMAN.—

24 (A) HOUSE OF REPRESENTATIVES.—Not
25 later than 30 days after the convening of each

1 even-numbered Congress, the Speaker of the
2 House of Representatives shall designate one of
3 the House Members who is a member of the
4 Commission as Chairman of the Commission.

5 (B) SENATE.—Not later than 30 days
6 after the convening of each odd-numbered Con-
7 gress, the President of the Senate, on the rec-
8 ommendation of the majority leader, shall des-
9 ignate one of the Senate Members who is a
10 member of the Commission as Chairman of the
11 Commission.

12 (3) DESIGNATION OF CO-CHAIRMAN.—

13 (A) HOUSE OF REPRESENTATIVES.—Not
14 later than 30 days after the convening of each
15 odd-numbered Congress, the Speaker of the
16 House of Representatives shall designate one of
17 the House Members who is a member of the
18 Commission as Co-Chairman of the Commis-
19 sion.

20 (B) SENATE.—Not later than 30 days
21 after the convening of each even-numbered Con-
22 gress, the President of the Senate, on the rec-
23 ommendation of the majority leader, shall des-
24 ignate one of the Senate Members who is a

1 member of the Commission as Co-Chairman of
2 the Commission.

3 (4) TERM OF OFFICE.—The term of office of a
4 Chairman and Co-Chairman shall terminate on the
5 date that a Congress adjourns sine die.

6 **SEC. 5. TESTIMONY OF WITNESSES; PRODUCTION OF EVI-**
7 **DENCE; ISSUANCE OF SUBPOENAS; ADMINIS-**
8 **TRATION OF OATHS.**

9 In carrying out its duty under section 3, the Commis-
10 sion may require, by subpoena or otherwise, the attend-
11 ance and testimony of such witnesses and the production
12 of such evidence, including books, records, correspondence,
13 memorandums, papers, and documents, as it determines
14 necessary. Subpoenas may be issued only pursuant to a
15 two-thirds vote of the members of the Commission who
16 are present and voting. Upon such a vote, subpoenas may
17 be issued by the Chairman of the Commission or by any
18 member designated by the Chairman, and may be served
19 by any person designated by the Chairman or such mem-
20 ber. The Chairman of the Commission, or any member
21 designated by the Chairman, may administer oaths to any
22 witnesses.

23 **SEC. 6. REPORT BY SECRETARY OF STATE TO COMMISSION.**

24 (a) ANNUAL REPORT.—In order to assist the Com-
25 mission in carrying out its duty under section 3, the Sec-

1 retary of State shall annually submit to the Commission
2 a report that explains how the United States has complied
3 with its international human rights treaty obligations over
4 the preceding calendar year.

5 (b) CONTENTS OF REPORT.—The report required
6 under subsection (a) shall include a discussion of any con-
7 cerns raised regarding the United States in international
8 organizations charged with monitoring compliance with
9 international human rights treaties.

10 (c) TIME FOR SUBMISSION OF REPORT.—The Sec-
11 retary shall submit the report not later than March 31
12 of each year.

13 (d) PUBLIC DISSEMINATION.—The Secretary shall
14 ensure that each annual report, excluding any classified
15 annexes, is posted on the website of the Department of
16 State not later than April 1 of each year.

17 **SEC. 7. REPORTS BY COMMISSION TO CONGRESS.**

18 (a) IN GENERAL.—Not later than January 31 of
19 each year, the Commission shall submit to the Committee
20 on Foreign Affairs and the Committee on the Judiciary
21 of the House of Representatives and Committee on For-
22 eign Relations and the Committee on the Judiciary of the
23 Senate a report regarding the compliance by the United
24 States of its obligations under international human rights
25 treaties.

1 (b) REQUEST FOR ADDITIONAL INFORMATION.—The
2 Commission shall, upon request by any Member of the
3 House of Representatives or any Member of the Senate,
4 provide such Member with any additional information so
5 requested pertaining to the compliance by the United
6 States of its obligations under international human rights
7 treaties.

8 (c) EXPENDITURE OF APPROPRIATIONS.—Not later
9 than January 15 of each fiscal year for which an appro-
10 priation is made to the Commission to carry out its duty
11 under section 3, the Commission shall submit to Congress
12 a report on its expenditures under such appropriation.

13 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) IN GENERAL.—There are authorized to be appro-
15 priated to the Commission for each fiscal year such sums
16 as may be necessary to enable it to carry out its duty
17 under section 3.

18 (b) AVAILABILITY.—Amounts appropriated pursuant
19 to the authorization of appropriations under paragraph
20 (1) are authorized to remain available until expended.

21 (c) DISBURSEMENT.—Amounts appropriated to the
22 Commission shall be disbursed on vouchers approved—

23 (1) jointly by the Chairman and the Co-Chair-
24 man; or

1 (2) by a majority of the members of the per-
2 sonnel and administration committee established
3 under section 9.

4 **SEC. 9. COMMISSION STAFF.**

5 (a) **STAFF DIRECTOR; SENIOR STAFF PERSON.**—The
6 Chairman shall be entitled to appoint and fix the pay of
7 a staff director, and the Co-Chairman shall be entitled to
8 appoint and fix the pay of the senior staff person of the
9 Co-Chairman.

10 (b) **PROFESSIONAL STAFF MEMBERS.**—The Chair-
11 man and Co-Chairman each shall have the authority to
12 appoint and fix the pay of at least four professional staff
13 members who shall be responsible to the Chairman or the
14 Co-Chairman, as the case may be, who appointed them.
15 Such authority may be delegated to the staff director or
16 senior staff person, as the case may be.

17 (c) **STAFF APPOINTMENTS.**—All staff appointments
18 shall be made without regard to the provisions of title 5,
19 United States Code, governing appointments in the com-
20 petitive service, and without regard to the provisions of
21 chapter 51 and subchapter III of chapter 53 of such title
22 relating to classification and General Schedule pay rates,
23 except that the rate of pay may not exceed the maximum
24 rate of pay for GS–15 under the General Schedule.

1 (d) COMMISSION EMPLOYEES AS CONGRESSIONAL
2 EMPLOYEES.—For purposes of pay and other employment
3 benefits, rights, and privileges, and for all other purposes,
4 any employee of the Commission shall be considered to
5 be a congressional employee as defined in section 2107
6 of title 5, United States Code.

7 (e) QUALIFICATIONS OF PROFESSIONAL STAFF.—
8 The personnel and administration committee shall ensure
9 that the professional staff of the Commission consists of
10 persons with expertise in civil rights, prisoner rights, labor
11 rights, law, international law, and human rights.

12 **SEC. 10. PRINTING AND BINDING COSTS.**

13 For purposes of costs relating to printing and bind-
14 ing, including the costs of personnel detailed from the
15 Government Printing Office, the Commission shall be
16 deemed to be a committee of Congress.

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