

**Received(Date):** 7 NOV 2001 16:45:34

**From:** Tim Goeglein ( CN=Tim Goeglein/OU=WHO/O=EOP [ WHO ] )

**To:** Bradford A. Berenson ( CN=Bradford A. Berenson/OU=WHO/O=EOP@EOP [ WHO ] ), Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] ), Ziad S. Ojakli ( CN=Ziad S. Ojakli/OU=WHO/O=EOP@EOP [ WHO ] )

**Subject:** : per my question on the ICC

[P\\_TIRL4004\\_WHO.TXT\\_1.html](#)

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:Tim Goeglein ( CN=Tim Goeglein/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 7-NOV-2001 16:45:34.00

SUBJECT:: per my question on the ICC

TO:Bradford A. Berenson ( CN=Bradford A. Berenson/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Ziad S. Ojakli ( CN=Ziad S. Ojakli/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

##### End Original ARMS Header #####

Friends

This is from Phyllis Schlafly's DC person.

Is there anything I might tell her?

Warmly

tsg

----- Forwarded by Tim Goeglein/WHO/EOP on 11/07/2001  
04:44 PM -----

Lori Cole (b)(6)

11/07/2001 01:43:05 PM

Please respond to [lori@eagleforum.org](mailto:lori@eagleforum.org)

Record Type: Record

To: Tim Goeglein/WHO/EOP

cc:

Subject: per my question on the ICC

Tim,

In building support for the Craig Amendment to the CJS Appropriations bill, I was told that the Administration (including the State Dept.) was opposed to it. Is this true?

The Craig Amendment states:

SEC. 623. None of the funds appropriated or otherwise made available by this Act shall be available for cooperation with, or assistance or other

support to, the International Criminal Court or the Preparatory Commission. This subsection shall not be construed to apply to any other entity outside the Rome treaty.

The Amendment was adopted by voice vote. Pres. Bush has repeatedly rejected this inherently flawed treaty, so I expected that he would support the Craig Amendment. From what I understand part of the opposition arises from the State Dept. wanting to be part of the Prep Coms. in order to make minor changes to the treaty. Such "participation" is a huge waste of tax dollars and time because, as one friend put it, that is like putting make-up on a pig and entering it in a beauty contest. No degree or amount of minor changes will ever make the ICC good enough to ratify.

On a similar, yet slightly different angle on the ICC, I also understand that the Administration is working behind the scenes with the Foreign Relations Committee to weaken the American Servicemembers' Protection Act. The new bill (S. 1610), which is also mentioned in the alert below, protects every U.S. citizen from the ICC. Why wouldn't the President support this bill?

Below is our alert on the ICC that was sent out this morning. Thanks for your help and for digging into this matter for me.  
Lori Cole

Protecting Americans From the International Criminal Court  
Urge Congress to Pass the American Servicemembers' Protection Act and the Craig Amendment to the FY 2002 Commerce, Justice, State Appropriations bill

November 6, 2001

#### THE DANGERS OF THE ICC

The International Criminal Court, a U.N. treaty negotiated in 1998, is dangerous to American sovereignty and puts U.S. citizens at risk. The Court will indict, prosecute, and imprison persons accused of "war crimes", "crimes of aggression", "crimes against humanity," and "genocide." These broadly defined crimes will be interpreted by ICC judges, and the U.S. must ratify the treaty in order to have one American judge sitting on the Court.

Even if the U.S. never ratifies the ICC, the Court still claims jurisdiction over every U.S. citizen. The ICC will not be required to provide Americans basic legal protections guaranteed by the U.S. Constitution. Despite these flaws, President Clinton signed the ICC on December 31, 2000 but never submitted the treaty to the U.S. Senate for ratification. Over 30 countries have ratified the ICC, and it will enter into force when that number reaches 60.

#### AMERICAN SERVICEMEMBERS' PROTECTION ACT

On November 1, Sen. Jesse Helms introduced a stronger version of the American Servicemembers' Protection Act (S. 1610). Unlike previous versions of the American Servicemembers' Protection Act that only protected military personnel, every U.S. citizen would be protected from



ICC's reach. The new bill prohibits any U.S. governmental entity from cooperating with the ICC in arrests, searches and seizures, or taking of evidence. Recognizing that the ICC is a violation of international law because it claims jurisdiction over non-ratifying countries, S. 1610 also instructs the Administration to withdraw Clinton's signature from the treaty. At this time, there is no equivalent House companion bill.

S. 1610 link: <http://thomas.loc.gov/cgi-bin/bdquery/z?d107:s.01610>:

#### NO TAX-DOLLARS FOR THE ICC

On September 10, Sen. Larry Craig (R-ID) introduced an amendment to the Commerce, Justice, State (CJS) Appropriations bill to prohibit federal tax-dollars from being used to cooperate, assist, or support the International Criminal Court or the Preparatory Commission. The amendment was adopted by voice vote, but now, it faces elimination in the conference committee as the House and Senate work out their differences. The ICC is a bad treaty, and seeking minor changes through any U.S. participation will never change that. It is time to stop wasting tax dollars on developing the flawed ICC.

#### ACTION ITEM

Ask your Senators to co-sponsor the American Servicemembers' Protection Act (S. 1610).

Ask the Members of the CJS Conference Committee to keep the Craig Amendment in the final version of the bill in order to prohibit the use of tax-dollars for the ICC.

Senate Conferees: Hollings, Inouye, Mikulski, Leahy, Kohl, Murray, Reed, Byrd, Gregg, Stevens, Domenici, McConnell, Hutchison, Campbell and Cochran

House Conferees: Wolf, Rogers (KY), Kolbe, Taylor (NC), Regula, Latham, Miller (FL), Vitter, Young (FL), Serrano, Mollohan, Roybal-Allard, Cramer, Kennedy (RI), and Obey

CALL IMMEDIATELY! CAPITOL SWITCHBOARD (202) 224-3121

E-mail addresses:

HOUSE: <http://www.house.gov/writerep/>

SENATE: [http://www.senate.gov/contacting/index\\_by\\_state.cfm](http://www.senate.gov/contacting/index_by_state.cfm)

- att1.htm

ATT CREATION TIME/DATE: 0 00:00:00.00

File attachment <P\_TIRL4004\_WHO.TXT\_1>

Tim,

In building support for the Craig Amendment to the CJS Appropriations bill, I was told that the Administration (including the State Dept.) was opposed to it. Is this true?

The Craig Amendment states:

**SEC. 623.** None of the funds appropriated or otherwise made available by this Act shall be available for cooperation with, or assistance or other support to, the International Criminal Court or the Preparatory Commission. This subsection shall not be construed to apply to any other entity outside the Rome treaty.

The Amendment was adopted by voice vote. Pres. Bush has repeatedly rejected this inherently flawed treaty, so I expected that he would support the Craig Amendment. From what I understand part of the opposition arises from the State Dept. wanting to be part of the Prep Coms. in order to make minor changes to the treaty. Such "participation" is a huge waste of tax dollars and time because, as one friend put it, that is like putting make-up on a pig and entering it in a beauty contest. No degree or amount of minor changes will ever make the ICC good enough to ratify.

On a similar, yet slightly different angle on the ICC, I also understand that the Administration is working behind the scenes with the Foreign Relations Committee to weaken the American Servicemembers' Protection Act. The new bill (S. 1610), which is also mentioned in the alert below, protects every U.S. citizen from the ICC. Why wouldn't the President support this bill?

Below is our alert on the ICC that was sent out this morning. Thanks for your help and for digging into this matter for me.

Lori Cole

Protecting Americans From the International Criminal Court

Urge Congress to Pass the American Servicemembers' Protection Act and the Craig Amendment to the FY 2002 Commerce, Justice, State Appropriations bill

November 6, 2001

## THE DANGERS OF THE ICC

The International Criminal Court, a U.N. treaty negotiated in 1998, is dangerous to American sovereignty and puts U.S. citizens at risk. The Court will indict, prosecute, and imprison persons accused of "war crimes", "crimes of aggression", "crimes against humanity," and "genocide." These broadly defined crimes will be interpreted by ICC judges, and the U.S. must ratify the treaty in order to have one American judge sitting on the Court.

Even if the U.S. never ratifies the ICC, the Court still claims jurisdiction over every U.S. citizen. The ICC will not be required to provide Americans basic legal protections guaranteed by the U.S. Constitution. Despite these flaws, President Clinton signed the ICC on December 31, 2000 but never submitted the treaty to the U.S. Senate for ratification. Over 30 countries have ratified



the ICC, and it will enter into force when that number reaches 60.

## AMERICAN SERVICEMEMBERS' PROTECTION ACT

On November 1, Sen. Jesse Helms introduced a stronger version of the American Servicemembers' Protection Act (S. 1610). Unlike previous versions of the American Servicemembers' Protection Act that only protected military personnel, every U.S. citizen would be protected from ICC's reach. The new bill prohibits any U.S. governmental entity from cooperating with the ICC in arrests, searches and seizures, or taking of evidence. Recognizing that the ICC is a violation of international law because it claims jurisdiction over non-ratifying countries, S. 1610 also instructs the Administration to withdraw Clinton's signature from the treaty. At this time, there is no equivalent House companion bill.

S. 1610 link: <http://thomas.loc.gov/cgi-bin/bdquery/z?d107:s.01610:>

## NO TAX-DOLLARS FOR THE ICC

On September 10, Sen. Larry Craig (R-ID) introduced an amendment to the Commerce, Justice, State (CJS) Appropriations bill to prohibit federal tax-dollars from being used to cooperate, assist, or support the International Criminal Court or the Preparatory Commission. The amendment was adopted by voice vote, but now, it faces elimination in the conference committee as the House and Senate work out their differences. The ICC is a bad treaty, and seeking minor changes through any U.S. participation will never change that. It is time to stop wasting tax dollars on developing the flawed ICC.

## ACTION ITEM

Ask your Senators to co-sponsor the American Servicemembers' Protection Act (S. 1610).

Ask the Members of the CJS Conference Committee to keep the Craig Amendment in the final version of the bill in order to prohibit the use of tax-dollars for the ICC.

Senate Conferees: Hollings, Inouye, Mikulski, Leahy, Kohl, Murray, Reed, Byrd, Gregg, Stevens, Domenici, McConnell, Hutchison, Campbell and Cochran

House Conferees: Wolf, Rogers (KY), Kolbe, Taylor (NC), Regula, Latham, Miller (FL), Vitter, Young (FL), Serrano, Mollohan, Roybal-Allard, Cramer, Kennedy (RI), and Obey

CALL IMMEDIATELY! CAPITOL SWITCHBOARD (202) 224-3121

E-mail addresses:

HOUSE: <http://www.house.gov/writerep/>

SENATE: [http://www.senate.gov/contacting/index\\_by\\_state.cfm](http://www.senate.gov/contacting/index_by_state.cfm)