

tive

by Ex Cu

Submission date: 08-Apr-2021 03:42PM (UTC-0500)

Submission ID: 1553969087

File name: Executive_Orders.docx (21.52K)

Word count: 1069

Character count: 7238

Executive Order: A Review of Termination of Executive Order 14022 under President

Biden's Administration

Name

Institutional Affiliation

Course

Instructor

Date

**Executive Order: A Review of Termination of Executive Order 14022 under President
Biden's Administration**

An Executive order refers to a command issued by the United States president written, signed, and published intended to govern federal government operations. In 1907, the Department of State began numbering executive orders issued from 1862. However, detailed executive order documentation commenced in 1936 due to the Federal Register Act ("Executive Orders | The American Presidency Project," 2021). Different presidents in the United States used executive orders in varying ways. For example, President Franklin Roosevelt, during the First World War, initiated internment camps using executive order 9066 ("Executive Orders 101: What are they and how do Presidents use them? - National Constitution Center", 2021). President Donald Trump's executive order 13928 on 11th June 2020 blocked individuals' property linked to the "International Criminal Court (ICC)." The ICC officials were carrying out investigations concerning the US military involvement in probable war-related crimes in Afghanistan and some Palestinian regions by American ally Israel (Ani, 2021). On 2nd April 2021, President Joe Biden repealed Trump's executive order and abolished the 2019 policy on visa restrictions for some ICC officials.

Executive orders are different from laws; one of the significant differences is that executive orders do not need congress consent. An executive order can only be issued by the president who possesses the power to manage their executive branch as they consider fit and can be revoked by another president. On the other hand, laws require Congress's consent. Executive orders have similar jurisdiction as federal laws but lack permanence (Salenetri, 2021). Executive orders are specific; departments addressed must follow the order instead of taking it into

advisement. It is a way of the president giving specific action to be taken on certain procedures while a law begins as a bill before Congress's consent and the president's signature. It is critical to note that executive orders do not coerce citizens into adhering to particular rules, eliminating "acts of congress" or passing a budget. Executive orders can apply to agencies such as "Centre for Disease Control and Prevention (CDC) and "Department of Transportation."

Additionally, the president holds power to manage homeland security and military functions. The president is the "Commander-in-chief" and possesses power over the executive branch of the government. Additionally, the constitution spells out the president's powers over the executive, giving the president the authority to issue executive orders. The constitution does not directly mention executive order but is instead an "implied power" with precedent in American history that the courts acknowledge.

President Biden's executive order is the "Termination of Emergency with Respect to the International Criminal Court" (Biden, 2021). It aims to remove Trump's proclamation against the two ICC officials and removes the state of emergency. In a letter addressed to the "Speaker of the House and President of the Senate," Biden reveals that he sees no need to maintain the state of emergency declared in Trump's executive order 13928 (Biden,2021). President Biden revoked former President Trump's executive order that forced economic sanctions on Phakiso Mochochoko and Fatou Bensouda (Schaack, 2021). Biden's executive order addresses the beginning of a new phase in upholding the rule of law, fighting impunity, and supporting justice against mass atrocities.

Moreover, the lift on the visa bans and sanctions shows that the United States' willingness to uphold accountability, transparency, and cooperation (Hansler, 2021). Trump's government withdrew the United States from several international organizations and sternly condemned other

institutions on the claims that some were flawed and were not congruent to the state's interests. The removal of sanctions could be an initial step of the Biden administration in restoring the United States' position in multilateral agreements.

I wholly agree with the lift of the sanctions and bans on the ICC officials. The sanctions were inappropriate and did not offer a solution to the investigations but instead negatively portrayed the United States in a negative light. I think that the United States prides itself in upholding justice and human rights; Trump's executive order contradicts the country's values for its citizens. Biden's executive order shows a willingness to cooperate with the relevant stakeholders and the ICC through their investigations. I am confident that President Joe Biden made the right call in revoking the previous executive order. The United States should generate a way of cooperating with the ICC rather than imposing sanctions that give the impression of concealing information.

An "executive order" is a presidential command of the functions of the federal government. Various United States presidents previously issued executive orders for different purposes. The Federal Register Act ensures record-keeping and numbering for each executive order given by American presidents. Former President Donald Trump declared an executive order in 2020 on ICC officials probing Afghanistan crimes by the US military. However, the current president Joe Biden revoked Trump's executive order by lifting the bans and sanctions on the two ICC personnel. I agree with Biden's decision as it presents the United States as a country open for cooperation and one advocating for international justice and is against impunity crimes. The lift on the sanctions is the first step in restoring America's image in a new administration.

References

- Ani. (2021). *Joe Biden lifts sanctions on International Criminal Court officials*. Business-standard.com. Retrieved 7th April 2021, from https://www.business-standard.com/article/international/joe-biden-lifts-sanctions-on-international-criminal-court-officials-121040300081_1.html.
- Biden, J. (2021). *Executive order on the Termination of Emergency With Respect to the International Criminal Court | The White House*. The White House. Retrieved 7th April 2021, from <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/04/01/executive-order-on-the-termination-of-emergency-with-respect-to-the-international-criminal-court/>.
- Biden, J. (2021). *Letter to the Speaker of the House and the President of the Senate on the Termination of Emergency With Respect to the International Criminal Court | The White House*. The White House. Retrieved 7th April 2021, from <https://www.whitehouse.gov/briefing-room/statements-releases/2021/04/02/letter-to-the-speaker-of-the-house-and-the-president-of-the-senate-on-the-termination-of-emergency-with-respect-to-the-international-criminal-court/>.
- Executive Orders | The American Presidency Project*. Presidency.ucsb.edu. (2021). Retrieved 7th April 2021, from <https://www.presidency.ucsb.edu/statistics/data/executive-orders>.
- Executive Orders 101: What are they and how do Presidents use them? - National Constitution Center*. National Constitution Center – constitutioncenter.org. (2021). Retrieved 7th April 2021, from <https://constitutioncenter.org/blog/executive-orders-101-what-are-they-and-how-do-presidents-use-them/>.

Hansler, J. (2021). *Biden revokes Trump executive order sanctioning International Criminal Court officials*. CNN. Retrieved 7th April 2021, from

<https://edition.cnn.com/2021/04/02/politics/biden-trump-icc-ao-revoked/index.html>.

Salenetri, M. (2021). *VERIFY: Explaining the difference between executive orders and laws*.

Wusa9. Retrieved 7th April 2021, from [https://www.wusa9.com/article/news/verify/how-](https://www.wusa9.com/article/news/verify/how-many-executive-orders-has-biden-signed-are-executive-orders-laws-no-heres-the-difference-between-federal-law-and-executive-order/65-b3e5d870-5623-40c9-abf3-05609848fcdf)

[many-executive-orders-has-biden-signed-are-executive-orders-laws-no-heres-the-](https://www.wusa9.com/article/news/verify/how-many-executive-orders-has-biden-signed-are-executive-orders-laws-no-heres-the-difference-between-federal-law-and-executive-order/65-b3e5d870-5623-40c9-abf3-05609848fcdf)

[difference-between-federal-law-and-executive-order/65-b3e5d870-5623-40c9-abf3-](https://www.wusa9.com/article/news/verify/how-many-executive-orders-has-biden-signed-are-executive-orders-laws-no-heres-the-difference-between-federal-law-and-executive-order/65-b3e5d870-5623-40c9-abf3-05609848fcdf)

[05609848fcdf](https://www.wusa9.com/article/news/verify/how-many-executive-orders-has-biden-signed-are-executive-orders-laws-no-heres-the-difference-between-federal-law-and-executive-order/65-b3e5d870-5623-40c9-abf3-05609848fcdf).

Schaack, B. (2021). *BREAKING: Biden Revokes Executive Order Sanctioning Int'l Criminal Court Principals*. Just Security. Retrieved 7th April 2021, from

<https://www.justsecurity.org/75598/breaking-biden-revokes-executive-order-sanctioning-intl-criminal-court/>.

tive

ORIGINALITY REPORT

0%

SIMILARITY INDEX

0%

INTERNET SOURCES

0%

PUBLICATIONS

0%

STUDENT PAPERS

PRIMARY SOURCES

Exclude quotes On

Exclude matches Off

Exclude bibliography On