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Mr. Kelly: From Washington, DC, transcribed, United States Senator J. Allen Frear reports again to the people of Delaware on current congressional affairs. Ladies and gentlemen, Senator Frear.

Senator Frear: Thank you. A significant and possibly historic debate is under way in the Senate this week. Before its conclusion, the American people will have had the opportunity of reading and listening to thousands of words on the subject of fundamental importance to our whole system of constitutional government. The issue, which already has its sides sharply drawn, is the so-called Bricker Amendment, or Senate Joint Resolution Number One, now pending before the Senate membership. Citizens in Delaware, some motivated by purely personal interest, others stimulated by organizations of one type or another, that have taken a position on the resolution are already writing and wiring me in increasing numbers. And this correspondence is supplemented by scores of similar communications from all parts of the country with the result that not only this office, but most other senators’ offices are rapidly being flooded with opinions on the Bricker Amendment. For those not familiar with this legislation, let me explain that it is a measure which proposes to amend the Constitution of the United States with respect to the making of treaties and executive agreements. The subject matter of the Bricker Resolution may be somewhat confusing to those who are not familiar with the wording and the intent of our Constitution. As a matter of fact, a great many of the people in the forefront of the discussion are distinguished lawyers, thoroughly schooled in the principles of Constitutional government. Briefly, the Bricker Amendment proposes that no treaty between the United States and any other nation which conflicts with our Constitution shall be enforced or effective. It further states that a treaty to become effective as internal law, that is, in order to apply to our domestic affairs in one way or another, must be approved by both houses of congress through a specific legislative act. The third major point of the amendment would also authorize congress to regulate executive agreements with a foreign power or international organizations. In support of the Bricker Amendment, its principal backers say there is now danger that the United States, through its association with the United Nations, or some other international group, might become a party to a treaty which could regulate
our freedoms, our daily lives, our economic system, and yes, even our form of government. You see, a treaty, under our Constitution, is the supreme law of the land. Whereas treaties as originally considered by the framers of our Constitution were intended to apply to such matters as foreign commerce and navigation, peace and friendship and mutual defense, the framers of the Bricker Amendment have grave fears that the treaty-making power and the ability to negotiate executive agreements may be extended far beyond those limitations. Some see in the treaty-making power an opportunity to advance the theory of world government. Opponents of the Bricker Amendment are maintaining that there are adequate safeguards already in existence to prevent international treaties from affecting individual lives and liberties of the American people. They argue that the Senate, which now ratifies all treaties, would not approve any agreement if it seemed to threaten our internal laws. With regard to executive agreements, which are made between the President of the United States and other governments as the need arises, it is stated by those against the resolution that there are so many of these agreements negotiated in the course of the year that our whole system of foreign relations would be badly delayed until congress got around to passing on them. [05:00] In this connection, however, Senator Bricker has stated, as recently as last week, that treaties which concern only our external affairs, and not internal matters, would not require either Federal or State legislative approval under his amendment. These, then, are some of the controversial highlights surrounding consideration of the Bricker Amendment. I hope everyone will study and follow the present debate closely, as I am attempting to do, so that, at the proper time, intelligent and enlightened judgment may be passed upon its merits. Our added program this week if legislative affairs permits, includes several engagements. The first is the annual dinner on Wednesday, given in Washington, by the American Legion for members of congress. At this gathering, members of the Legion’s Delaware department will meet informally with their congressional representatives to discuss matters of interest and concern to this great veteran’s organization. On Thursday evening, we’re scheduled to be in Delaware at the one hundred and seventeenth annual meeting of the Chamber of Commerce. And on Saturday, I hope to get to Dover for a special March of Dimes sports program, an undertaking arranged to further the fundraising campaign for the continued fight against infantile paralysis. All in all, a busy, but I am sure, an interesting week ahead.

Mr. Kelly: Thank you, Senator Frear. From the nation’s capital, you have heard United States Senator J. Allen Frear in his regular report to the people of Delaware on current congressional affairs. Senator Frear will be heard again next week at this same time.

[End 06:58]