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This Week In Congress Radio Address: S.J.R. 1: Bricker Amendment, 1953 April 29

Speaker: Senator J. Allen Frear

Transcribed by: David Cardillo

[00:00]

Announcer: The Week in Congress, recorded on April 24, 1953, and played on WDOV on April 29, 1953.

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

Senator Frear: Thank you. There is presently pending before the Senate legislation known as Senate Joint Resolution Number One. This bill, offered by Senator Bricker (phonetic [00:53]) and over sixty other senators, proposes an amendment to the Constitution of the United States relative to the making of treaties and executive agreements. It would be an understatement to say that this resolution is a controversial one. It is more than that because the effect of the legislation, if approved, would alter the method by which the United States carries out treaties and agreements with other nations of the world. At the present time, the President has considerable latitude in making agreements of one type or another with foreign nations. But under the proposed resolution, the congress would have to task special legislation in order to make a treaty part of the law of our land. This action would follow the negotiation of the treaty by the President and its ratification by the Senate. In other words, Senate Resolution One would have the effect of requiring approval by congress of international treaties and agreements rather than to leave such authority vested typically in the executive branch of the government. Many lengthy and somewhat complex legal opinions have been offered on both sides of the question. Time does not permit a discussion of them now. However, it should be pointed out that the resolution is offered in the form of an amendment to the Constitution, and as such, must be ratified by the legislatures of three-fourths of the states before it would become operative. Opponents of the resolution say it would seriously restrict the power of the President to conduct the foreign policy affairs of this nation. They argue that it is essential for the Federal government to deal with all kinds of emergencies and situations arising in world affairs. They also maintain that the President, the Senate, and the Supreme Court should be able to determine which treaties are desirable for the welfare of the country and which are not. Another argument against the resolution is that it would make more difficult to work with the United States to implement

some of the objectives of the United Nations. As those who have followed this legislation well know, I am one of the sponsors. As a result, I have been able to obtain a wide and varied cross-section of views on both sides of the question. Because the matter is presently under discussion, and because almost every piece of legislation is subject to extensive amendments, I do not deem it wise, at the present moment, to state categorically my position with respect to a possible vote on its final passing. However, there is serious doubt in my mind as to the propriety on the part of the United States to undertake treaties or agreements when it is possible at such covenants may be in conflict with the principles of our Constitution. Like many Americans, I am acutely aware of the necessity for the United States to enjoy harmonious relations with its allies in various parts of the world. For instance, I have supported the key principles of the United Nations, and I likewise feel that such organizations as the North Atlantic Treaty Group are beneficial to our interests. At the same time, however, it is my unqualified belief that the sovereignty of this nation, as it was intended under the Constitution, must be preserved. For example, any proposal that the United States become part of a world federation is alien to my thinking. No suggestion is being made here, or no criticism is intended, that our present governmental leaders in the executive branch, or those who have preceded them, have compromised our national sovereignty by executive agreements. But I'm frank to state that there are some agreements made in the past with which I do not agree. Congress is the agent of the people. It is the branch of government most directly and closely related to the citizens of the various states. [05:00] It, therefore, seems to me, that congress has a natural duty and right to exercise its voice in the making of treaties which may vitally affect the lives of every American.

Mr. Kelly:

Thank you, Senator Frear. From the nation's capital, you have heard United States Senator J. Allen Frear in the seventeenth of a series of brief reports to the people of Delaware on current congressional affairs. Senator Frear spoke from the Senate Office Building in Washington, and will be heard again next week at this same time.

[End 05:42]