

A president cannot lawfully scrap treaties on his own

We favor immediate Senate action to resolve the constitutional crisis created by President George W. Bush's notice to Russia that the ABM Treaty ends in June 2002.

Public hearings should be held before the Senate's treaty power is lost.

Bush failed to seek the approval of Congress or at least the Senate. He threatens to do away with or modify any treaties he deems contrary to U.S. interests. His action endangers our Constitution and world security because:

● The Constitution requires a two-thirds vote of the Senate to make a treaty. "A contention that the same Constitution would vest *absolute power* in one official to terminate that treaty is clearly contrary to the constitutional design." (Judge George E. MacKinnon, 1979).

● A president cannot repeal a statute. It takes an act of Congress. How then can he lawfully repeal a treaty, which is federal law under the Constitution's Article 6? Madison, Jefferson, and seven federal judges expressed the need for Senate or congressional approval.

● If Bush is allowed to scrap ABM on his own, a result will be international lawlessness. What will stop him from withdrawing from other treaties on weapons control, from conventions on practices of war, from the United Nations, etc.? Of what value will America's word be any more?

The Senate has to act now. It could well adopt a resolution declaring that a two-thirds vote of the Senate or a majority vote of both houses of Congress is needed to terminate a treaty.

At least, let the issues be debated. Will you please call for public hearings?

Name

Address

City or town, state & zip

WAR and LAW League

P.O. Box 42-7237, San Francisco CA 94142 / warandlaw@yahoo.com / www.warandlaw.homestead.com