executive agreements" and, as stated above, are equivalent to "treaties" under both U.S. and international law.

3. Status of International Agreements Under U.S. Law

Article VI of the U.S. Constitution provides that the Constitution, federal legislation, and treaties "shall be the Supreme Law of the Land." This Article has been interpreted by the courts to mean that international agreements, once implemented, have equal status with federal legislation. Consequently, international agreements must conform to the requirements of the Constitution, and take precedence over state law and prior federal legislation.

It is also well-established in U.S. law that federal legislation enacted subsequent to an international agreement supersedes the international agreement.[1] While it may seem logical that a two-thirds majority of the Senate would be required to abrogate a treaty, that is not the case. In fact, there is no legal restraint preventing Congress from enacting legislation

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[1] See Restatement of Foreign Relations Law (Tent. draft) §§ 131, 135 (1980). U.S. law includes a principle of interpretation that courts should, when possible, construe domestic laws in such a way as not to bring them into conflict with international agreements. See Murray v. Schooner Charming Betsy, 6 U.S. (2 Cranch) 64, 118 (1804).