

STUDY GUIDE

The Executive Branch (Part II)

Know what **foreign policy** means, and be able to distinguish whether something falls under foreign or domestic policy.

Know the main goals of America's foreign policy, and specifically America's military.

Be able to identify and describe the three main tools the executive branch uses for foreign policy.

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Be familiar with the role(s) that Congress plays in foreign policy.

Know why the writers of the Constitution required a 2/3 supermajority of votes in the Senate to ratify a treaty.

Be able to describe the president's role as "Commander-in-Chief" and provide an example of his exercising that role.

Be able to explain the purpose of the War Powers Resolution of 1973, why it was passed, and why it remains so controversial.

The War Powers Resolution of 1973

The New York Times

HOW WAR POWERS ACT WORKS

Published: March 29, 1984

WASHINGTON, March 28— The War Powers Act of 1973, passed in the aftermath of the Vietnam War, puts limits on the ability of the President to send American troops into combat areas without Congressional approval.

Under the act, the President can only send combat troops into battle or into areas where "imminent" hostilities are likely, for 60 days without either a declaration of war by Congress or a specific Congressional mandate.

The President can extend the time the troops are in the combat area for 30 extra days, without Congressional approval, for a total of 90 days.

The act, however, does not specify what Congress can do if the President refuses to comply with the act. Congress could presumably suspend all funds for such troops and override a Presidential veto.

The Controversy

Article I, Section 8:

The Congress shall have Power ...

- *To declare War, ...*
- To raise and support Armies, ...
- To provide and maintain a Navy;
- To make Rules for the Government and Regulation of the land and naval Forces;

Article II, Section 2:

The President shall be *Commander in Chief of the Army and Navy* of the United States, and of the Militia of the several States, when called into the actual Service of the United States

***Question(s): Is the War Powers Resolution of 1973 even constitutional? Is it practical?
How do you resolve the conflict?***