# The Scope of Congressional Powers

# Do Now

- What are the three types of congressional power?
- How does strict construction of the U.S.
  Constitution on the subject of congressional power compare to liberal construction?

















**Calvin R. Massey** 

The Law of U.S. Foreign Relations Sean D. Murphy, Edward T. Swaine, 2023 The Law of U.S. Foreign Relations is a comprehensive and incisive discussion of the rules that govern the conduct of U S relations with foreign countries and international organizations and the rules governing how international law applies within the U S legal system Among other topics this volume examines the constitutional and historical foundations of congressional executive and judicial authority in foreign affairs This includes the constitutional tensions prevalent in legislative efforts to control executive diplomacy as well as the ebb and flow of judicial engagement in transnational disputes with the judiciary often serving as umpire but at times invoking doctrines of abstention The process of U S adherence to treaties and other international agreements is closely scrutinized as the authors examine how such law as well as customary international law and the law making acts of international organizations can become a source of U S law Individual chapters focus on the special challenges posed by the exercise of war powers by the federal government including during recent incidents of international armed conflict the complex role of the several states in foreign affairs and the imperative to protect individual rights in the transnational sphere Among the contemporary issues discussed are the immunity of foreign heads of State treatment of detainees at Guant namo movement of the U S Embassy in Israel to Jerusalem state level foreign compacts to address climate change bans affecting refugees and asylum seekers and recent interpretations of key statutes such as the Alien Tort Statute the Torture Victim Protection Act and the Foreign Sovereign Immunities Act Constitutional Law Calvin R. Massey, 1997 Created to closely track the content and organization of the principle Constitutional Law casebooks students will find this superior study aid which presents the doctrine in a crystal clear highly accessible format as an invaluable companion to their Constitutional Law casebook Handbook of Federal Indian Law Felix S. Cohen, United States. Department of the Interior. Office of the Solicitor.1942 **Report on Tribal Government** United States. American Indian Policy Review Commission. Task Force Two, Tribal Government, 1977 Administrative Law, Third Series ,1989 Constitutional Law Jesse H. Choper, 2006 When Mr Gruber shows Paddington an outdoor painting exhibition he is inspired to take up a new hobby After attending an Outside Exhibition Paddington is inspired to take up painting himself He gets busy with his own paints and holds his own exhibition but is discouraged by the problems of self portraiture forgetting what he looks like in the mirror Then a mystery art collector buys up his entire works This is just the boost he needs and he s soon busily trying his first family portrait Read by THE WONDERFUL JIM BROADBENT The Court Vs. Congress Edward Keynes, Randall K. Miller, 1989 Since the early 1960s the Supreme Court and its congressional critics have been locked in a continuing dispute over the issues of school prayer busing and abortion Although for years the Court's congressional foes have introduced legislation designed to curb the powers of the federal courts in these areas they have until now failed to enact such proposals It is likely that these legislative efforts and the present confrontation with the Court will continue Edward Keynes and Randall Miller argue that

Congress lacks the constitutional power to legislate away the powers of the federal courts and to prevent individuals from seeking redress for presumed infringements of their constitutional rights in these areas They demonstrate that neither the framers nor ratifiers of the Constitution intended the Congress to exercise plenary power over the appellate jurisdiction of the Supreme Court Throughout its history the Court has never conceded unlimited powers to Congress and until the late 1950s Congress had not attempted to gerrymander the Court s jurisdiction in response to specific decisions But the authors contend this is just what the sponsors of recent legislative attacks on the Court intend and they see such efforts as threatening the Court s independence and authority as defined in the separation of powers clauses of the Constitution

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