# LIMITATIONS ON CONGRESSIONAL WAR POWERS

## Lovett v. US, 328 US 303 (1946)

### What did congress use a rider in the spending bill to do?

### What due process does this deny them?

### What is the constitutional limitation on this sort of law?

### What is the general principle?

### Can you use appropriations to accomplish things that Congress does not have the power to do directly?

### What are examples?

### What about the federal ban on paying for abortions?

### How is abortion different from the rights of a government employee?

## Is congress prohibited from using appropriations to interfere with foreign policy?

### What is the problem in enforcing this?

### What if congress just shuts down the state department?

### Why do the use of omnibus bills make it difficult to fight about specific appropriations riders?

### If congress is prohibited from using appropriations to mess with foreign policy, does it follow that the president may divert money from other appropriations to accomplish foreign policy purposes?

## Remember Chadha?

### What power did Congress reserve to itself in Chadha?

### Why was this a violation of separation of powers?

### What does this leave as the only joint resolution of Congress with legal effect?

### What are the unilateral powers of the houses of Congress?

### Should there be a national security exception to Chadha?

### Why should the court be more flexible on national security?

### What if the president wants to use our first strike capabilities to slow down competition from China?

## Line Item veto - Note 4 - 122

### What is a line item veto?

### Why would congress give this to the president?

### What is the problem with using impoundment as a line item veto?

### What is the constitutional problem with a line item veto?

### Why did the founder's not think about a line item veto - how was the budget process different?

### Would the argument be different for national security bills?

### Does Congress have a way to give the president flexibility?

### What about the budgets for the CIA and NSA?