NAME\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[**https://tinyurl.com/toomuchprez**](https://tinyurl.com/toomuchprez)Username: students Password: C-SPANCLASSROOM

**Deliberation Topic: Do current laws relating to national emergencies give too much power to the president?**

1. First, define these terms and phrases before reading the background article or using the videos from C-SPAN Classroom Deliberations. Try searching Google or a dictionary for a definition.
2. Finally, use these words in your deliberations and writing activities after you understand all sides of the issue.

|  |  |
| --- | --- |
| Term | Definition |
| Habeas Corpus |  |
| Appropriation |  |
| Commander in Chief |  |
| Martial Law |  |
| Separation of Powers |  |
| Watergate |  |
| Imperial Presidency |  |
| Executive Orders |  |
| Executive Power |  |
| Inherent Powers |  |
| Joint Resolution |  |
| Statutory Powers |  |
| Oversight |  |
| Checks and Balances |  |
| Legislative power |  |

# **Background Video Questions**

**Deliberation Topic: Is the president given too much power during national emergency declarations?**

**VIDEO:** [**Presidential Emergency Powers in the Constitution**](https://www.c-span.org/classroom/document/?9190)**-** Saikrishna Prakash, University of Virginia Law Professor (4:13)

* How did the different structures of government in place prior to the Constitutional Convention impact how the framers of the Constitution addressed emergency powers?
* What emergency powers does Professor Prakash say are directly included in the Constitution?
* Describe how the power to summon Congress on extraordinary occasions is an example of an emergency power. According to Professor Prakash, what might this imply about presidential power?

**VIDEO:** [**The History of National Emergencies**](https://www.c-span.org/classroom/document/?9205)**-** Ivan Eland, Independent Institute (4:39)

* What does Mr. Eland mean by the American Constitution "not being set up to be efficient in legislation?"
* Describe the events that led to the passage of the National Emergencies Act of 1976?
* How has the power of the presidency expanded over the past two decades?

**VIDEO:** [**The National Emergencies Act of 1976**](https://www.c-span.org/classroom/document/?9229) - Elizabeth Goitein, Brennan Center (5:15)

* Describe the reasons for the passage of the National Emergencies Act of 1976. How did the National Emergencies Act of 1976 attempt to address these problems?
* Explain the limitations that the National Emergencies Act of 1976 placed on presidential power.
* Why does Ms. Goitein describe the National Emergencies Act of 1976 as a failure?
* How can Congress stop presidential emergency declarations? How can this be problematic?
* Describe how national emergency declarations increase presidential power.
* What is meant by inherent emergency power?
* Besides the National Emergencies Act of 1976, what other statutory laws increase presidential power?

**VIDEO:** [**Competing Views on Presidential Emergency Power**](https://www.c-span.org/classroom/document/?9230)- Professor Chris Edelson, American University (2:26)

* Describe the two schools of thought on emergency presidential power.
* Based on what Professor Edelson discussed, what are possible problems with applying the Constitution to modern issues? How does this relate to emergency powers?

# Background Article Questions

**Deliberation Topic: Is the president given too much power during national emergency declarations?**

[**What exactly is a national emergency? Here’s what that means and what happens next.**](https://www.washingtonpost.com/politics/2019/02/15/what-exactly-is-national-emergency-heres-what-that-means-what-happens-next/?noredirect=on&utm_term=.eaf558eaafb0)- *New York Times*

1. What did the National Emergencies Act do? Describe the benefits and drawbacks of this law.
2. How have previous presidents used emergency declarations?
3. Describe the process in which a president declares a national emergency.
4. What checks does Congress have over a president's national emergency declaration?

[**Here's a list of the 31 national emergencies that have been in effect for years**](https://abcnews.go.com/Politics/list-31-national-emergencies-effect-years/story?id=60294693)- *ABC News*

1. After reading the article, choose 5 national emergencies that are still in effect. Answer the following questions for each:
   * Provide a summary of the emergency.
   * Why do you think this was considered an emergency at the time?
   * Should this still be considered an emergency? Explain your answer.
2. Based on the emergencies listed in the article, provide a definition of what you think a national emergency means.

**Is the president given too much power during national emergency declarations?**

|  |  |
| --- | --- |
| **Presidents have too much power during national emergency declarations** | **Presidents need national additional powers during emergency declarations** |
| Source:  Quote:  Summary: | Source:  Quote:  Summary: |
| Source:  Quote:  Summary: | Source:  Quote:  Summary: |
| Source:  Quote:  Summary: | Source:  Quote:  Summary: |
| Source:  Quote:  Summary: | Source:  Quote:  Summary: |
| Source:  Quote:  Summary: | Source:  Quote:  Summary: |