President James Madison’s Message to Congress, November 5, 1811; Records of the U.S. Senate, National Archives:

With this evidence of the hostile inflexibility [of Great Britain], in trampling on rights which no independent nation can relinquish, Congress will feel the duty of putting the United States into an armor and an attitude demanded by the crisis, and corresponding with the national spirit and expectations.

I recommend, accordingly, that adequate provision be made for filling the ranks and prolonging the enlistments of the regular troops...

Representative Peter Porter’s minutes of the House Committee on Foreign Relations Meetings February 11, 1812; Records of the Buffalo and Erie County Historical Society:

That the President deemed it a departure from the correct course of his official duties to hold formal & written communications with a committee of the House on the subject of the resolution [soliciting the President’s opinion on the needed size of the military force], and therefore declined giving the written opinion requested by the Committee.

The President has however remarked, by way of answer to the request contained in the resolution, that the committee were already in possession of the opinions of the Executive in respect to the number and species of troops proper to be provided, through the channel of informal communication hitherto pursued by the committee & the Executive.

Speaker of the House Henry Clay to Secretary of State James Monroe, March 15, 1812; Papers of James Monroe, Manuscript Division, Library of Congress:

Altho’ the power of declaring War belongs to Congress, I do not see that it falls less within the scope of the President’s constitutional duty to recommend such measures as he shall judge necessary and expedient than any other which, being suggested by him, they alone can adopt.
Handout 2: Balance of Power

THE WAR-MAKING POWER

CONGRESS

PRESIDENT
Congress, the President, and the War Powers

Handout 3: Document List

Group 1: Mexican War

Group 2: Mid-19th Century
❖ President James Buchanan’s message to Congress requesting legislation to protect Americans in the Isthmus of Panama, February 18, 1859 (facsimile, 3 pages). Records of the U.S. Senate, National Archives Building, Washington, D.C. NAID 7788754.

Group 3: World War II
❖ "Day of Infamy" message to Congress from President Franklin Delano Roosevelt concerning the Japanese attack on the United States at Pearl Harbor, December 8, 1941 (facsimile, 3 pages). Records of the U.S. Senate, National Archives Building, Washington, D.C. NAID 595426.

Group 4: Post War
❖ Gulf of Tonkin Resolution, as introduced, August 5, 1964 (facsimile, 2 pages). Records of the U.S. Senate, National Archives Building, Washington, D.C. NAID 2127364.

Modern Era

Online documents are available from Online Public Access by searching for the National Archives Identifier (NAID).

Center for Legislative Archives
National Archives and Records Administration
www.archives.gov/legislative
Worksheet 1: Decoding the Documents

Document title: ________________________________

1. What kind of document is it? (newspaper, official record, photo, drawing, advertisement, personal letter, public statement, petition, etc.)

2. Who is the author of the document? Why was it created?

3. What ideas are asserted about the proper role of the legislative branch in relation to war powers?

4. What ideas are asserted about the proper role of the executive branch in relation to war powers?

5. What is the historical context of this document? How does the context affect your interpretation of the war powers issue?

6. At this point in time, do you think the exercise of the war powers by the executive and legislative branches were in balance? Was one branch more dominant than the other? By how much? What would the Founders think?