

# **NATIONAL SECURITY LAW**

*and the*

# **POWER OF THE PURSE**



**WILLIAM C. BANKS  
PETER RAVEN-HANSEN**

# National Security Law And The Power Of The Purse

**Volker Franke**



## **National Security Law And The Power Of The Purse:**

**National Security Law and the Power of the Purse** William C. Banks, Peter Raven-Hansen, 1994 This power by necessity and preference has become the central congressional tool for participating in national security policy Inevitably attacks on policy are transformed into attacks on the making and effects of appropriations *The Intersection of Law and War* Kristen Boon, Douglas Lovelace, 2012 Terrorism Commentary on Security Documents is a series that provides primary source documents and expert commentary on various topics in the worldwide effort to combat terrorism Among the documents collected are transcripts of Congressional testimony reports by such federal government bodies as the Congressional Research Service CRS and the Government Accountability Office GAO United Nations Security Council resolutions reports and investigations by the United Nations Secretary General and other dedicated UN bodies and case law from the U S and around the globe covering issues related to terrorism Most volumes carry a single theme and inside each volume the documents appear within topic based categories The series also includes a subject index and other indices that guide the user through this complex area of the law Volume 126 *The Intersection of Law and War* takes a fresh look at the ways in which law and war intersect in this modern age of multifaceted and multidimensional warfare Professor Douglas Lovelace Jr has organized Congressional Research Service reports and United Nations studies to discuss how U S law and international law bear on contemporary national security issues such as terrorism in the context of the war powers debate the use of drones for targeted killings maintaining and closing the U S detention facility at Guantanamo Bay and illegal border crossing into the United States **Legislative Proposals Relating to Counterintelligence** United States. Congress. House. Permanent Select Committee on Intelligence, 1995 Buying National Security Gordon Adams, Cindy Williams, 2010-02-11 Examines the planning and budgeting processes of the United States This title describes the planning and resource integration activities of the White House reviews the adequacy of the structures and process and makes proposals for ways both might be reformed to fit the demands of the 21st century security environment **Presidential War Power** Louis Fisher, 1995 Fisher chronicles the expansion of the president's power to make war **National Security Law** Stephen Dycus, 2007 Please Visit the Companion website [www.aspenlawschool.com/dycus\\_nationalsecurity4](http://www.aspenlawschool.com/dycus_nationalsecurity4) For the broadest exploration of both constitutional and domestic law issues in national security as well as thoughtful treatment of related international law topics *The War Power* Louis Fisher, 2008 *Detention in the 'War on Terror'* Fiona de Londras, 2011-07-28 In this book Fiona de Londras presents an overview of counter terrorist detention in the US and the UK and the attempts by both states to achieve a downward recalibration of international human rights standards as they apply in an emergency Arguing that the design and implementation of this policy has been greatly influenced by both popular and manufactured panic *Detention in the War on Terror* addresses counter terrorist detention through an original analytic framework In contrast to domestic law in the US and UK de Londras argues that international human rights law has

generally resisted the challenge to the right to be free from arbitrary detention largely because of its relative insulation from counter terrorist panic She argues that this resilience gradually emboldened superior courts in the US and UK to resist repressive detention laws and policies and insist upon greater rights protection for suspected terrorists

**The Oxford Encyclopedia of American Military and Diplomatic History** Timothy J. Lynch, 2013 Entries written by renowned diplomatic and military historians as well as key scholars in international relations Provides assessments and analyses of key episodes issues and actors in the military and diplomatic history of the United States Based on the award winning Oxford Companion to United States History Comprehensive collection of entries that span the founding of the U S to its present state Offers a wide range of perspectives to provide an encompassing context of the United States military and diplomatic legacies Expansive bibliographies and suggested readings for each article to aid in research The Oxford Encyclopedia of American Military and Diplomatic History a two volume set will offer both assessment and analysis of the key episodes issues and actors in the military and diplomatic history of the United States At a time of war in which ongoing efforts to recalibrate American diplomacy are as imperative as they are perilous the Oxford Encyclopedia will present itself as the first recourse for scholars wishing to deepen their understanding of the crucial features of the historical and contemporary foreign policy landscape and its perennially martial components Entries will be written by the top diplomatic and military historians and key scholars of international relations from within the American academy supplemented as is appropriate for an encyclopedia of diplomacy with entries from foreign based academics in the United Kingdom and elsewhere The crucial importance of the subject is reflected in the popularity of university courses dedicated to diplomatic and military history and the enduring appeal of international relations IR as a political science discipline drawing on both The Oxford Encyclopedia will be a basic reference tool across both disciplines a potentially very significant market Readership University level undergraduate and graduate students in History

*Terrorism and Peacekeeping* Volker Franke, 2005-01-30 Over the last decade asymmetric warfare and terrorism have become prevalent threats to the United States National security today more than at any other time demands decision making under uncertainty The issues presented in this book demonstrate that the value of planning depends upon how well the United States can prepare for a perpetually unpredictable future Each chapter examines pertinent management leadership and accountability issues related to U S national security and places readers at the center of difficult decisions Although the cases collected in this volume revolve around national security related policy questions they also illustrate more general policy dilemmas and are designed to stimulate new ideas

**Constitutional Conflicts between Congress and the President** Louis Fisher, 2014-08-19 Over three decades after its initial publication Louis Fisher's durable classic remains at the head of its class a book that Congressional Quarterly called as close to being indispensable as anything published in this field This newly revised sixth edition emphatically reinforces that sterling reputation Fisher dissects the crucial constitutional disputes between the executive and legislative branches of government from the

Constitutional Convention through President Clinton's impeachment battles to the recent controversies over President Bush's conduct as commander in chief. He ventures beyond traditional discussions of Supreme Court decisions to examine the day to day working relationships between the president and Congress. By analyzing a mixture of judicial pronouncements, executive acts and legislative debates, Fisher pinpoints the critical areas of legislative-executive tension: appointment powers, investigatory powers, legislative and executive vetoes, the budgetary process and war powers. He then examines these areas of tension within a concrete political and historical context. To scholars, this book offers a comprehensive examination of the institutions and issues of public law. For practitioners, general readers and students of American government, it demonstrates how constitutional issues shape and define current events. The new edition covers for the first time: Obama's military decisions in Afghanistan and Iraq; Military operations against Libya in 2011; Threatened attacks on Syria in 2013; Efforts to close Guantanamo; Obama's recess appointments during a pro forma session; Fast and Furious scandal; Holder's contempt and Obama's executive privilege; The growth of presidential czars; Executive branch secrecy and lack of accountability; State Secrets Privilege after 9/11; Distinguishing between implied powers, constitutional and inherent powers not constitutional; Pocket vetoes and the growth of hybrid vetoes; New developments in the President's removal power. *Surging Out of Iraq?* Steven J. Costel, 2008. Due to political realities, America seems about to take steps to leave Iraq within 1 or 2 years in large numbers, an outward surge. Yet because of the geopolitical significance of the region, vast oil reserves and the rampant terrorist activities, wholesale retreat will not be easy and perhaps not even desirable. This book brings together important analyses dealing with the current status in Iraq as well as projecting a post-war Iraq. **Who Guards the Guardians - Secrecy in Government** Rahul Sagar, 2013-10-13. *Secrets and Leaks* examines the complex relationships among executive power, national security and secrecy. State secrecy is vital for national security, but it can also be used to conceal wrongdoing. How then can we ensure that this power is used responsibly? Typically, the onus is put on lawmakers and judges who are expected to oversee the executive. Yet because these actors lack access to the relevant information and the ability to determine the harm likely to be caused by its disclosure, they often defer to the executive's claims about the need for secrecy. As a result, potential abuses are more often exposed by unauthorized disclosures published in the press. But should such disclosures, which violate the law, be condoned? Drawing on several cases, Rahul Sagar argues that though whistleblowing can be morally justified, the fear of retaliation usually prompts officials to act anonymously, that is, to leak information. As a result, it becomes difficult for the public to discern when an unauthorized disclosure is intended to further partisan interests. Because such disclosures are the only credible means of checking the executive, Sagar writes, they must be tolerated. However, the public should treat such disclosures skeptically and subject irresponsible journalism to concerted criticism. **America's Foreign Policy Toolkit** Charles A. Stevenson, 2012-10-02. How is foreign policy in the United States really crafted? In *America's Foreign Policy Toolkit*, Charles A. Stevenson identifies what the key foreign policy tools are, which are best for

which tasks and what factors constrain or push how they re used bringing fresh insight into the challenges facing national security decisionmakers Engagingly written with examples drawn from behind the scenes Stevenson brings depth and dimension to the institutions and processes of foreign policy This brief text looks first at the historical context and then in turn at the tools available to the president and congress and to the shared budgetary tools The following section surveys each of the diplomatic economic military intelligence homeland security and international institutions instruments The book concludes by considering the limitations of the U S toolkit Each chapter ends with a case study that connects the theory of the toolkit with the realities of decisionmaking America's Foreign Policy Toolkit: Key Institutions and Processes Charles A. Stevenson, 2013 How is foreign policy in the United States really crafted In America's Foreign Policy Toolkit Charles A. Stevenson identifies what the key foreign policy tools are which are best for which tasks and what factors constrain or push how they re used bringing fresh insight into the challenges facing national security decisionmakers Engagingly written with examples drawn from behind the scenes Stevenson brings depth and dimension to the institutions and processes of foreign policy This brief text looks first at the historical context and then in turn at the tools available to the president and congress and to the shared budgetary tools The following section surveys each of the diplomatic economic military intelligence homeland security and international institutions instruments The book concludes by considering the limitations of the U S toolkit Each chapter ends with a case study that connects the theory of the toolkit with the realities of decisionmaking

**State of War** Paul A. C. Koistinen, 2012-09-16 In his farewell speech President Dwight Eisenhower famously warned us of the dangers of a military industrial complex MIC In Paul Koistinen's sobering new book that warning appears to have been both prophetic and largely ignored As the final volume in his magisterial study of the political economy of American warfare *State of War* describes the bipolar world that developed from the rivalry between the U S and USSR showing how seventy years of defense spending have bred a monster that has sunk its claws into the very fabric of American life Koistinen underscores how during the second half of the twentieth century and well into the twenty first the United States for the first time in its history began to maintain large military structures during peacetime Many factors led to that result the American economy stood practically alone in a war ravaged world the federal government especially executive authority was at the pinnacle of its powers the military accumulated unprecedented influence over national security and weaponry became much more sophisticated following World War II Koistinen describes how the rise of the MIC was preceded by a gradual process of institutional adaptation and then supported and reinforced by the willing participation of Big Science and its industrial partners the broader academic world and a proliferation of think tanks He also evaluates the effects of ongoing defense budgets within the context of the nation's economy since the 1950s Over time the MIC effectively blocked efforts to reduce expenditures control the arms race improve relations with adversaries or adopt more enlightened policies toward the developing world all the while manipulating the public on behalf of national security to sustain the warfare state Now twenty

years after the Soviet Union's demise defense budgets are higher than at any time during the Cold War As Koistinen observes more than six decades of militaristic mobilization for stabilizing a turbulent world have firmly entrenched the state of war as a state of mind for our nation Collectively his five volume opus provides an unparalleled analysis of the economics of America's wars from the colonial period to the present illuminating its impact upon the nation's military campaigns foreign policy and domestic life

**The Oxford Companion to American Politics** David Coates, 2012-07-12 Provides students and scholars with a valuable reference source in the field of American Politics The Companion will equip readers with a deep understanding of the complex interaction between governmental institutions and processes and the wider American economy and society that they govern

**Zones of Twilight** Amanda DiPaolo, 2010-01-01 The Bill of Rights was designed to protect the American public from encroachments of liberty by the federal government During times of war the president often spearheads efforts to limit rights in the name of national security When these cases make their way through the federal courts system it is expected that the judiciary would use rights based language in their adjudication of cases dealing with such rights based claims Zones of Twilight shows that the courts actually use the separation of powers to decide these cases In other words the courts look to see if Congress has authorized the president to limit the liberties in question More often than not if Congress is on board so are the federal courts Although the common conception is that the courts give the presidents a blank check during war it is in fact Congress that has received that blank check Zones of Twilights looks at four reoccurring issues during times of war where the courts have had to decide cases where the executive has limited individual freedoms military detentions warrantless electronic surveillance emergency economic powers and free speech Book jacket

**Encyclopedia of United States National Security** Richard J. Samuels, 2006 Covers the origin development and results of all major national security policies over the last seven decades A thoroughly interdisciplinary work the encyclopedia views national security from a historical economic political and technological perspective

**Record of Proceedings on H.R. 3829, the Intelligence Community Whistleblower Protection Act of the House Permanent Select Committee on Intelligence, May 20, 1998 and June 10, 1998, 105th Congress, Second Session** United States. Congress. House. Permanent Select Committee on Intelligence, 1999

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