### The US Constitution: Article I, Section 8, Clause 11

**Document Text**

*The Congress shall have Power To . . . declare War.*

**Summary**

Only Congress has the power to declare war.

U.S. Const. art. I, § 8, cl. 11.

### The US Constitution: Article II, Section 2, Clause 1

**Document Text**

*The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States.*

**Summary**

The president has the power to direct the military during wartime.

U.S. Const. art. II, § 2, cl. 1.

### The War Powers Act, 1973

**Document Text**

*SEC. 2 (a) It is the purpose of this joint resolution to fulfill the intent of the framers of the Constitution of the United States and insure that the collective judgement of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities, or into situations where imminent*

**Summary**

The goal is to reassert the war powers of Congress as stated in the Constitution and to insure that Congress and the president will decide together when US forces should go to war.

U.S. Const. art. I, § 8, cl. 11.  
U.S. Const. art. II, § 2, cl. 1.  
involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations.

(c). The constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised only pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces.

The president can deploy the US military only if there is a declaration of war or specific Congressional permission, or if the United States has been attacked.


U.S. Const. art. I, § 8, cl. 11.
U.S. Const. art. II, § 2, cl. 1.