

1. Identify a power vested in one branch of government, by Article and Section.

The Judicial power of the Supreme Court is established in Article 3 Section 1.

“The judicial Power of the United States, shall be vested in one supreme Court”¹

This article designates the Supreme Court as the head of the Judicial Branch. Article 3 Section 1 also gives Congress the ability to create lower courts.

2. Identify another branch of government which has a check on that same power.

Article 3 Section 1 also gives the Legislative Branch the power to create lower courts:

“and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office. “

3. Explain how the requirement of 2/3 approval by the Senate balances the power between these two branches of government to enter the US into treaties.

The Senate (Legislative Branch) must approve the President (Executive Branch) desire to enter into a treaty by 2/3 super majority vote. Two thirds is a super majority vote representing 66% percent of the Senate body. The 2/3 vote ensures that the majority of the states have approved of the treaty.

Explain why this is an important check on the Executive’s power to make treaties.

“A **treaty** is an agreement under international law entered into by actors in international law, namely sovereign states and international organizations.”²

A treaty is essentially a contract and it is important that the President be checked before entering the United State of American citizens into a contract with a foreign nation. It guarantees that the people have a say in their well being, both physically and economically. The President also has the power to suspend a treaty.

4. Supplement your answer with any relevant information.

Recent headlines in the Washington Post read, **U.S. Suspends Nuclear Arms Control Treaty With Russia**. In February 2019, the Secretary of State , Mike Pompeo, announced the decision:

“We can no longer be restricted by the treaty while Russia shamelessly violates it,” Mr. Pompeo said, adding that the United States would terminate the accord in six months unless Russia destroyed its growing arsenal of intermediate-range missiles and launchers.”³

1 <https://www.shmoop.com/constitution/article-3-section-1.html>

2 <https://en.wikipedia.org/wiki/Treaty>

3 <https://www.nytimes.com/2019/02/01/us/politics/trump-inf-nuclear-treaty.html>