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- 7 -

Of course, whatever the extent of the President's own constitutional powers,\* it is a fundamental principle of our constitutional system that these powers are checked and limited by the Congress, including the Congress' power of impeachment. As a necessary corollary, any action taken by a President pursuant to his limited inherent powers and in apparent conflict with the law must be disclosed to the Congress. Only then may the Congress judge whether the action truly represented, in Lincoln's phrase, an "indispensable necessity" to the life of the Nation.

As Lincoln explained in submitting his extraordinary actions to the Congress for ratification: "In full view of his great responsibility he has, so far, done what he has deemed his duty. You will now, according to your own judgment, perform yours." (Abraham Lincoln, Message to Congress in Special Session, July 4, 1861).

NW 50955 DocId:32423539 Page 568