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## War Powers Legislation: An Addendum

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## WAR POWERS LEGISLATION AN ADDENDUM

J. TERRY EMERSON

There are five undeclared U. S. military actions abroad which supplement the chronological list of such incidents in the appendix to my article, "War Powers Legislation," in issues 1-2 (1971-1972) of this volume of the law review. The addition of these events raises the overall total of undeclared U. S. military engagements abroad during the years 1798 to 1971 inclusive to 197, including 47 actions for broad political or strategic purposes, 82 accompanied by actual combat or ultimatums, 95 lasting more than 30 days, and 103 occurring outside the Western Hemisphere.

1853: Smyrna.

Martin Koszta, who was an American declarant, was released by his Austrian captors, upon an ultimatum given by Naval Captain Ingraham who trained his guns upon the Austrian vessel on which Koszta was held. Secretary of State Marcy defended the rescue against protest by the Austrian Government. Berdahl, C., War Powers of the Executive in the United States (1921), 50.

1869-1871: Dominican Republic.

President Grant, having negotiated a treaty of annexation, sent a strong naval force to the island to protect it from invasion and internal disorder, both during the consideration of the treaty by the Senate and for months after its rejection. Berdahl, 48.

1905-1907: Dominican Republic.

After the Senate failed to ratify a treaty providing that the United States should guarantee the integrity of the Dominican Republic, take charge of its customs, and settle its obligations, President Roosevelt nevertheless put its terms into effect for two years until in 1907 the Senate ratified a slightly revised version. Berdahl, 41-42.

1919: Dalmatia.

At the request of Italian authorities, U.S. bluejackets were landed at Trau, September, 1919, in order to police order between the Italians and the Serbs. Berdahl, 56.

1970: Jordanian-Syrian Crisis.

On September 17, King Hussein of Jordan moved against Palestinian guerrillas in an effort to reassert the royal authority. Despite a warning by President Nixon, talking to newspaper editors in Chicago, that the U.S. might intervene if Syria or Iraq threatened King Hussein's Government, some 300 Syrian tanks crossed into Jordan during the next three days. Secretary Rogers condemned the Syrian invasion and the U.S. called on the Soviet Union to use its influence to persuade Syria to pull out.

President Nixon moved the Sixth Fleet off the Israeli-Lebanese coast and publicity was given to the dispatch of the helicopter carrier Guam with

1,500 marines to join the Sixth Fleet, to the alert of the 82d Airborne Division in Fort Bragg, N.C., and to the alert of two airborne battalions of the Eighth Infantry Division in West Germany. At the same time the Israelis began a partial mobilization and movements of tanks toward the northern part of the Jordan River Valley in position to attack the Syrian invaders. The U.S. apparently was prepared to intervene militarily, in coordination with Israel, to prevent the overthrow of King Hussein's Government and to rescue 38 American hostages known to be in the hands of Palestinian guerrillas. By September 22, Syrian tanks began withdrawing and on September 25, the crisis ended when King Hussein and Yasir Arafat, the guerrilla chief, agreed on a cease-fire. N.Y. Times, Oct. 8, 1970, at 1,12.