

Delegation of Authority – Determining the Legality of Executive Action

(*Youngstown Case* / Justice Jackson's *Three-Part Test* of Constitutionality)

- **Action is Consistent with Legislative Authority.**

- **Curtis-Wright** – Arms embargo.

- **Legislative Authority is Silent.**

(If no legislative authority then actions need to be based on Presidential authority.)

- **Action is Inconsistent (Contra) to Legislative Authority.**

- **Youngstown** – Seizure of Steel Mills.
- **Consumers Union** – If had a VRA / OMA then inconsistent. But only had an arrangement therefore no violation.