



THE EXECUTIVE BRANCH *Washington*

THE PRESIDENCY



Kennedy



The Basics

- ❑ Leader, PERSUADER, political skills (manage, negotiate, compromise)
- ❑ To ensure peace, prosperity, and security-TO ENFORCE/EXECUTE THE LAW

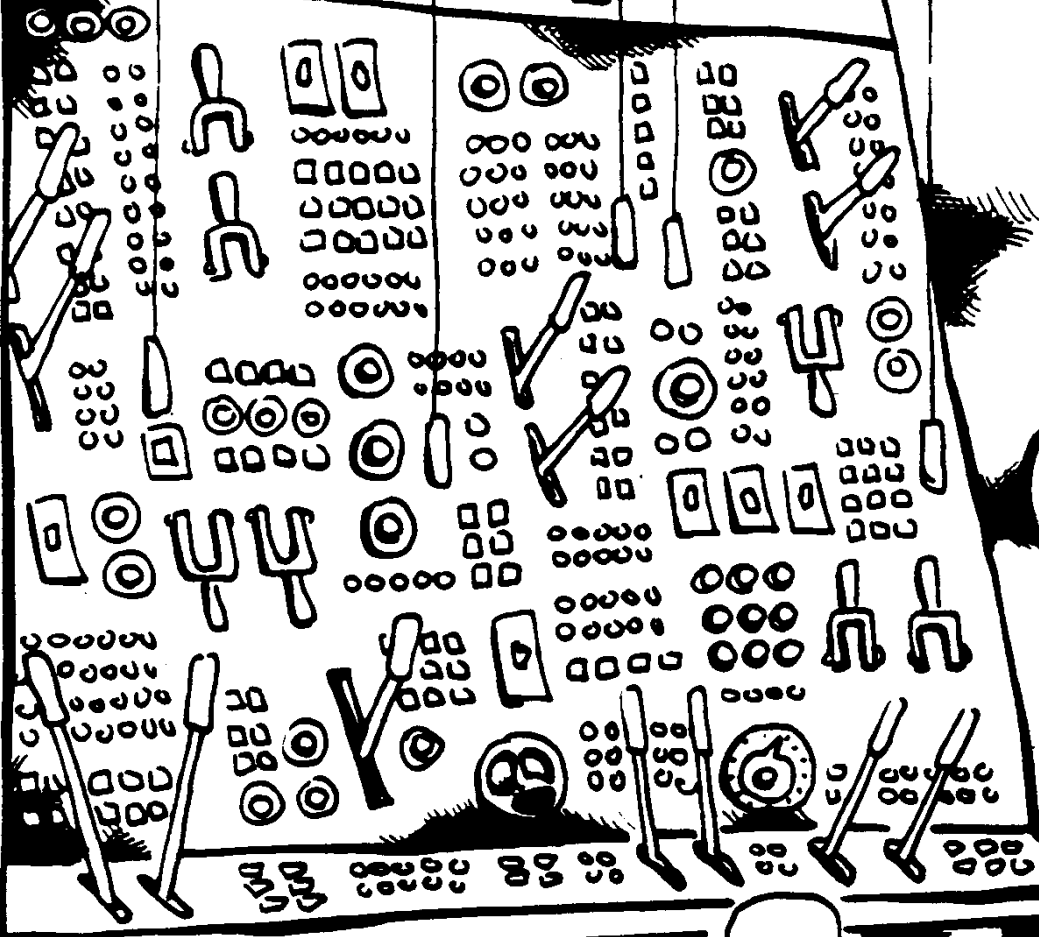


Sources of Presidential Power

- General mistrust of chief executive (royal governors, King George) so...
- No exec u/AoC, so...
- **Article II of the Const. & A'ts become the basis of pres' power**



PRESIDENTIAL POWER



WOW.

THE BAD NEWS IS MOST OF THEM AREN'T CONNECTED TO ANYTHING.

ACTUALLY, THEY'RE CONNECTED TO CONGRESS, BUT THE DIFFERENCE IS ONLY TECHNICAL.

Who are they???

□ Constitutional/formal requirements:

- Natural born U.S. citizen
- 35 years old
- U.S. resident for 14 years

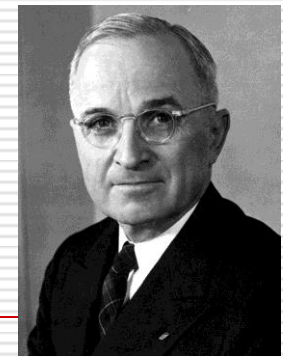
**What would happen to change this?

Who are they?

□ Extraconstitutional/informal requirements

- White (until 2008)
- Male
- Protestant (except one)
- Modern- “non bald”, “beardless”, “tv friendly image-handsome??”





Personal Strength

- *"The presidency of the United States carries with it a responsibility so personal as to be without parallel...No one can make decisions for him...Even those closest to him...never know all the reasons why he does certain things and why he comes to certain conclusions. To be President of the United States is to be lonely, very lonely at times of great decisions."*

--Harry Truman



Presidential Benefits



- ❑ \$400,000 salary
- ❑ \$50,000/year expense account
- ❑ \$100,000/year travel expenses
- ❑ The White House
- ❑ Secret Service protection
- ❑ Camp David country estate
- ❑ Air Force One personal airplane, limos, Marine 1
- ❑ Staff of 400-500
- ❑ Celebrity status
- ❑ <http://www.youtube.com/watch?v=XWxxuG2Ru9c>



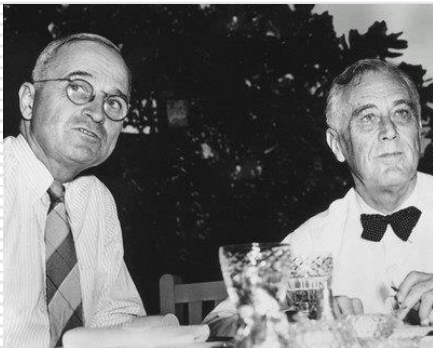
Christmas at the White House, 2004

How they got there (2 basic ways)

- 1. Elections-the normal road to the White House
 - 4 year terms (based on tradition you would only serve max of 2)
 - 22nd amendment (1951)-2 term limit, 10 year max ** only 13 of 43 have served 2 terms
 - 25th amendment (1967)- VP becomes prez if president dies, and the president appoints new VP if vacancy, with approval of Congress. Only used by Nixon/Ford

Vice President Stepping into President's Role

- *" I don't know whether you fellows ever had a load of hay fall on you, but when they told me yesterday what happened, I felt like the moon, the stars and all the planets had fallen on me."*



--Harry Truman,
taking office after FDR died

How they got there

- 2. Succession and Impeachment (known as the “accidental presidents”)
 - Role of VP (1 in 5 has become pres) *“it isn’t worth a warm pitcher of spit” John Nance Garner*
 - Speaker of the house
 - President Pro Tempore of the Senate
 - Secretary of State
 - 14 other cabinet posts in order of their creation (last-Homeland Security)
-

Table 13.2 Incomplete Presidential Terms

PRESIDENT	TERM	SUCCEEDED BY
William Henry Harrison	March 4, 1841–April 4, 1841	John Tyler
Zachary Taylor	March 4, 1849–July 9, 1850	Millard Fillmore
Abraham Lincoln	March 4, 1865–April 15, 1865 ^a	Andrew Johnson
James A. Garfield	March 4, 1881–September 19, 1881	Chester A. Arthur
William McKinley	March 4, 1901–September 14, 1901 ^a	Theodore Roosevelt
Warren G. Harding	March 4, 1921–August 2, 1923	Calvin Coolidge
Franklin D. Roosevelt	January 20, 1945–April 12, 1945 ^b	Harry S Truman
John F. Kennedy	January 20, 1961–November 22, 1963	Lyndon B. Johnson
Richard M. Nixon	January 20, 1973–August 9, 1974 ^a	Gerald R. Ford

^aSecond term.

^bFourth term.

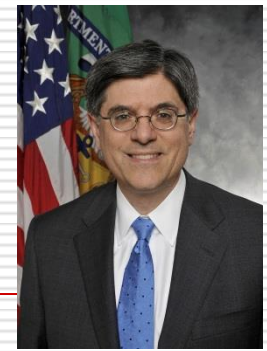
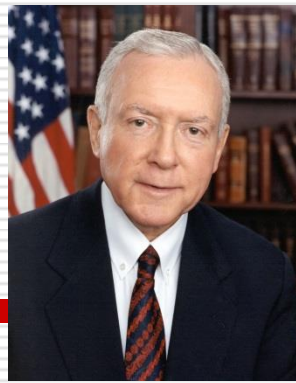
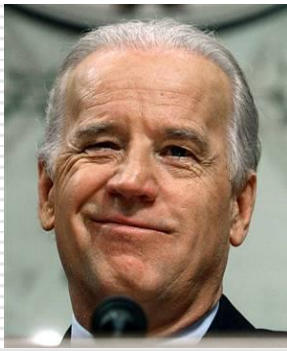


TABLE 8.2 PRESIDENTIAL LINE OF SUCCESSION

1. Vice President
2. Speaker of the House
3. President Pro Tempore of the Senate
4. Secretary of State
5. Secretary of the Treasury
6. Secretary of Defense
7. Attorney General
8. Secretary of the Interior
9. Secretary of Agriculture
10. Secretary of Commerce
11. Secretary of Labor
12. Secretary of Health and Human Services
13. Secretary of Housing and Urban Development
14. Secretary of Transportation
15. Secretary of Energy
16. Secretary of Education
17. Secretary of Veterans Affairs

House bill, House Resolution 1455, is currently pending before the House Judiciary Committee.

IMPEACHMENT

- ❑ Defined-to bring formal charges against someone (**does not** mean to remove from office)
 - ❑ House of Reps has this power-
"treason, bribery or other high crimes and misdemeanors"
 - ❑ Senate-trial, convict & remove, 2/3 vote (Chief Justice will preside)
 - ❑ Only 2
-

The Electoral College: Overview

- Original plan-each elector would vote for 2 candidates (one with most would be pres, runner up vp)(changed with 12th amendment)
 - This meant pres & vp could be from different parties
 - Framers did not trust average American to make such an important decision
 - In case of tie, HoR would decide
 - # of electors per state is # of total members in Congress (HoR+S=EC)
 - Need 270/538 to win.
-

OFFICIAL BALLOT, GENERAL ELECTION
PALM BEACH COUNTY, FLORIDA
NOVEMBER 7, 2000

A

OFFICIAL BALLOT, GENERAL ELECTION
PALM BEACH COUNTY, FLORIDA
NOVEMBER 7, 2000

ELECTORS
FOR PRESIDENT
AND
VICE PRESIDENT

(A vote for the candidates will
actually be a vote for their electors.)

(Vote for Group)

(REPUBLICAN)
GEORGE W. BUSH - PRESIDENT
DICK CHENEY - VICE PRESIDENT 3 →

(DEMOCRATIC)
AL GORE - PRESIDENT
JOE LIEBERMAN - VICE PRESIDENT 5 →

(LIBERTARIAN)
HARRY BROWNE - PRESIDENT
ART OLIVIER - VICE PRESIDENT 7 →

(GREEN)
RALPH NADER - PRESIDENT
WINONA LaDUKE - VICE PRESIDENT 9 →

(SOCIALIST WORKERS)
JAMES HARRIS - PRESIDENT
MARGARET TROWE - VICE PRESIDENT 11 →

(NATURAL LAW)
JOHN HAGELIN - PRESIDENT
NAT GOLDHABER - VICE PRESIDENT 13 →

(REFORM)
PAT BUCHANAN - PRESIDENT
EZOLA FOSTER - VICE PRESIDENT ← 4

(SOCIALIST)
DAVID McREYNOLDS - PRESIDENT
MARY CAL HOLLIS - VICE PRESIDENT ← 6

(CONSTITUTION)
HOWARD PHILLIPS - PRESIDENT
J. CURTIS FRAZIER - VICE PRESIDENT ← 8

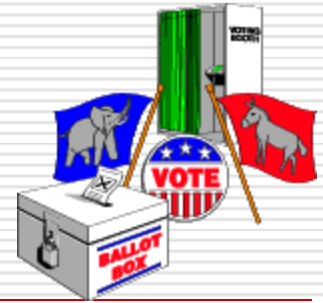
(WORKERS WORLD)
MONICA MOOREHEAD - PRESIDENT
GLORIA La RIVA - VICE PRESIDENT ← 10

WRITE-IN CANDIDATE
To vote for a write-in candidate, follow the
directions on the long stub of your ballot card.

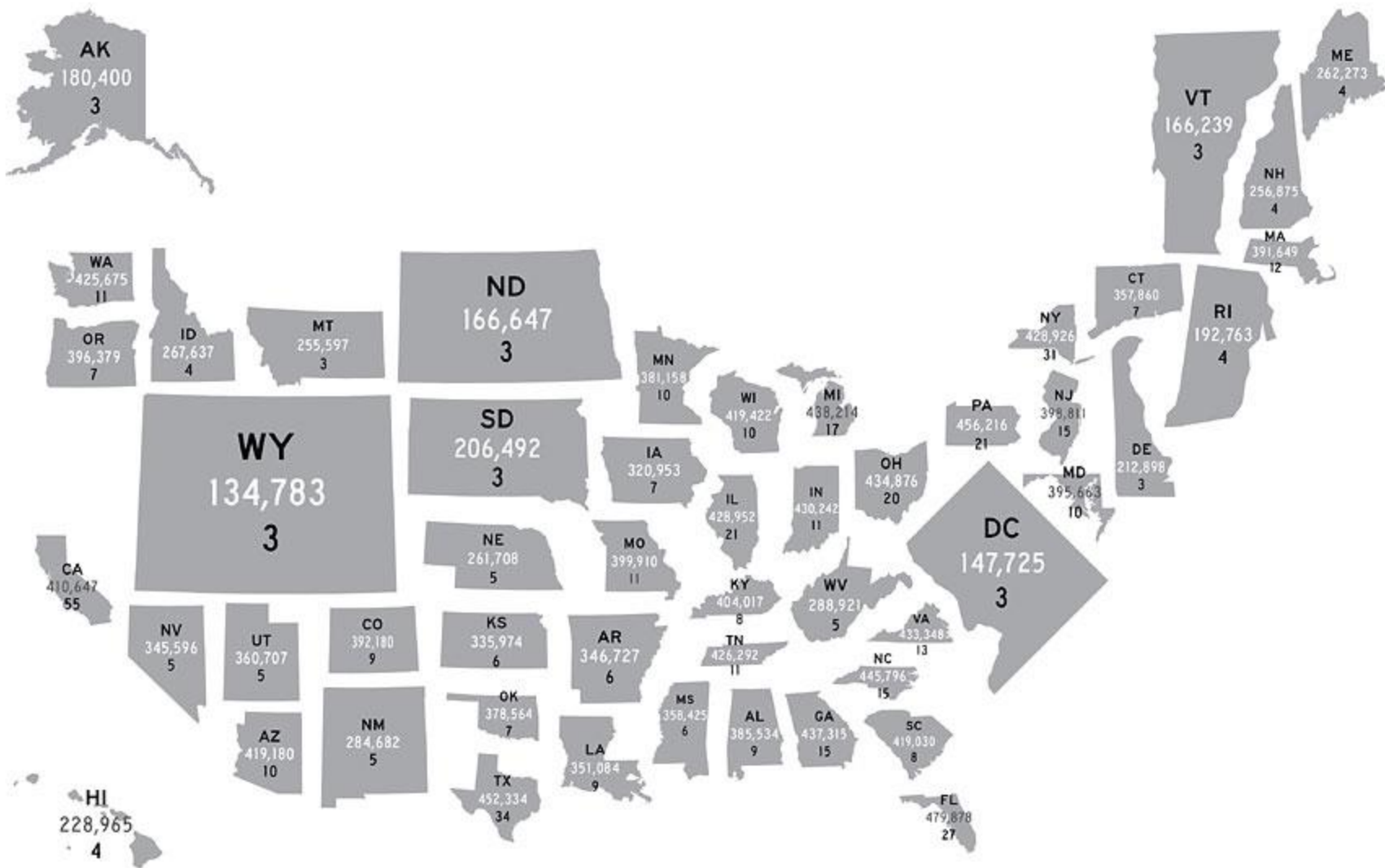
TURN PAGE TO CONTINUE VOTING



The Electoral College



- ❑ Electors, in most states, are chosen by party. Electors will cast votes based on popular vote of state.
 - ❑ Most states have laws to insure this
 - ❑ Winner-take-all (winner of popular vote in state gets all electoral votes from that state)
 - ❑ Biggest flaw: winner of popular vote may not win electoral vote
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The Last Battle: The Electoral College

Table 10.3 Presidential Vote in 2000 by State Representation in the Electoral College (in percents)

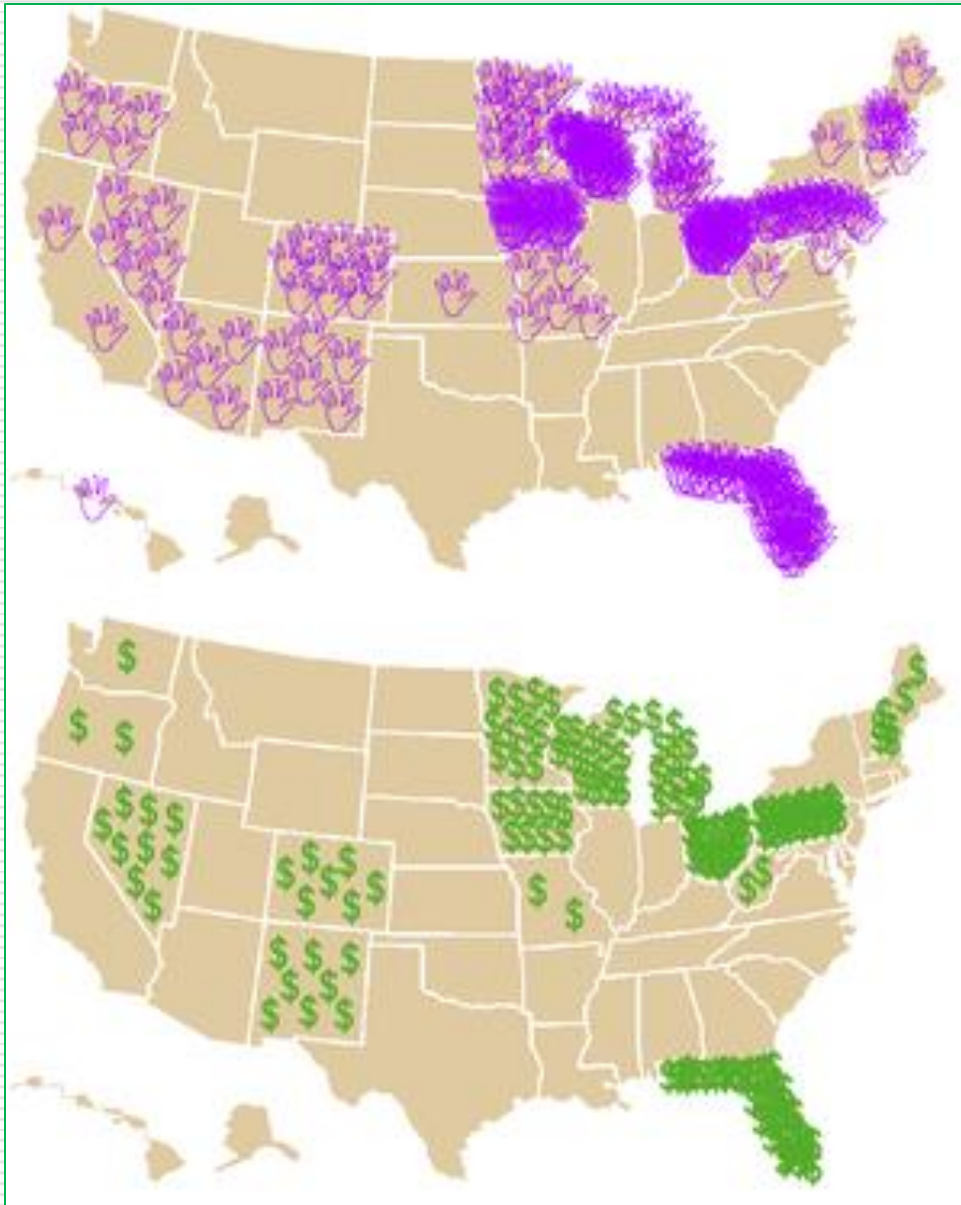
States with less than seven electoral votes are overrepresented in the electoral college. Therefore, the fact that George W. Bush did especially well in these states in 2000, as shown in this table, helped him to win the presidency without winning the popular vote—the first time a candidate accomplished this feat since 1888.

	BUSH	GORE	NADER	OTHERS
Electoral votes <7	52.5	42.3	3.7	1.5
7–18	48.9	47.6	2.5	1.0
>18	45.7	50.7	2.7	0.9

Source: Calculated by the authors from official election returns.

Proposed Reforms

- ❑ Congressional District Plan- electors would vote by district, not the state as a whole (ME and NE)
- ❑ Proportional Plan- electoral vote would automatically equal the % of the popular vote (prob-state by state basis unfair)
- ❑ Direct popular vote- voters select winner (Prob-elected with only plurality)
- ❑ Instant Runoff voting [IRV](#)
- ❑ National Bonus Plan- winner of popular vote gets 102 automatic electoral votes



- Hands represent a candidate visit in 2004
- \$ represents \$ on TV commercials

Pros and Cons of EC

Cons

- ❑ Depresses voter turnout
- ❑ Doesn't reflect popular will
- ❑ All votes are not equal-overrepresents rural states

Pros

- ❑ Requires geographic distribution of popular support
- ❑ Political stability because encourages 2-party system
- ❑ Maintains *federal* system

TABLE 7-1 Minor Parties in the United States

Year	Party	Presidential Candidate	Percentage of Popular Vote Received	Electoral Votes
1832	Anti-Masonic	William Wirt	8%	7
1856	American (Know-Nothing)	Millard Fillmore	22	8
1860	Democratic (Secessionist)	John C. Breckinridge	18	72
1860	Constitutional Union	John Bell	13	39
1892	People's (Populist)	James B. Weaver	9	22
1912	Bull Moose	Theodore Roosevelt	27	88
1912	Socialist	Eugene V. Debs	6	0
1924	Progressive	Robert M. La Follette	17	13
1948	States' Rights (Dixiecrat)	Strom Thurmond	2	39
1948	Progressive	Henry A. Wallace	2	0
1968	American Independent	George C. Wallace	14	46
1980	National Unity	John Anderson	7	0
1992	Independent	Ross Perot	19	0
1996	Reform	Ross Perot	8	0
2000	Reform	Pat Buchanan	0	0
2000	Green	Ralph Nader	3	0
2004	Reform	Ralph Nader	0	0

Inauguration

- President-elect takes office at noon
January 20
- *"I do solemnly swear (or affirm), that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."*

--Article II, Section 8

Electoral College

- ❑ With your group look through the documents in the Electoral College packet.
- ❑ Decide which ones support the EC and which ones are against
- ❑ With your group decide what we should do- keep or discard
- ❑ Put documents on a poster that support your side, make it look nice!
And defend your position

II. Presidential Roles



Head of State- (ribbon cutting/ceremonial)



President Obama with the Queen, 2009

Queen Elizabeth and President Reagan, 1983



Chief Executive



**President Clinton with Janet Reno,
the first female Attorney General,
February, 1993**



**President Bush holds cabinet meeting
in October, 2005**

Formal Powers: Chief Executive

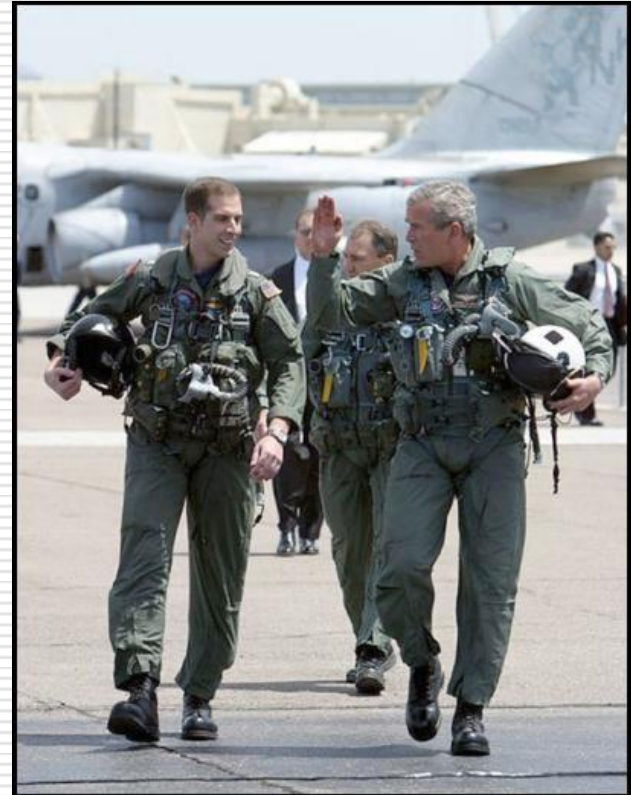


- “Faithfully execute” the laws
 - Require the opinion of heads of executive departments
 - Grant pardons for federal offenses except for cases of impeachment (can the prez pardon himself?)
 - Nominate judges of the Supreme Court and all other officers of the U.S. with consent of the Senate
 - Fill vacancies that may happen during recess of the Senate
-

Commander-in-Chief



**President Johnson decorates a soldier
in Vietnam, October, 1966**



**President Bush aboard U.S.S.
Lincoln, May, 2003**

Formal Powers:

Commander-in-Chief

- ☐ Commander in Chief of the Army & Navy**
 - ☐ Commander in Chief of the state militias (now the National Guard)**
 - ☐ Commission all officers**
-



“I can walk into my office, pick up the telephone, and in twenty minutes 70 million people will be dead.”



Chief Legislator



**President Roosevelt signs into law the
Social Security Act, 1935**

**President Clinton delivers the State
of the Union Address, 1997**



Formal Powers: Chief Legislator



- ❑ Give State of the Union address to Congress
 - ❑ Recommend “measures” to the Congress
 - ❑ Upon “extraordinary occasions” convene both houses of Congress
-

Formal Powers: Chief Legislator (cont.)

☐ Presidential Veto

- Veto Message within 10 days of passing the House of origin**
- Pocket Veto - President does not sign within 10 days does not become law if Congress is NOT in session**

☐ Veto Politics

- Congressional override is difficult (only 4%)**
 - Threat of veto can cause Congress to make changes in legislation**
-

Chief Diplomat

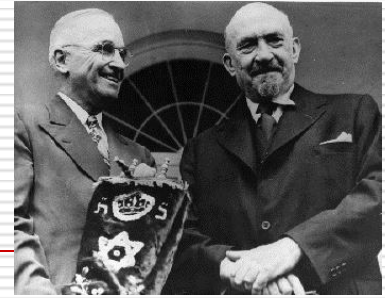


President Reagan meets with Mikhail Gorbachev

Jimmy Carter signs Camp David Accords



Formal Powers: Chief Diplomat



- **Appoint ambassadors**
 - **Make treaties subject to Senate confirmation**
 - **Receive ambassadors**
 - **diplomatic recognition**
 - **T Roo & Panama 1903... 3 days**
 - **Truman & Israel 1948... 24 hrs**
-

Political Party Leader



President Reagan & Vice-President Bush accepting their party's nomination in 1980

Crisis Manager

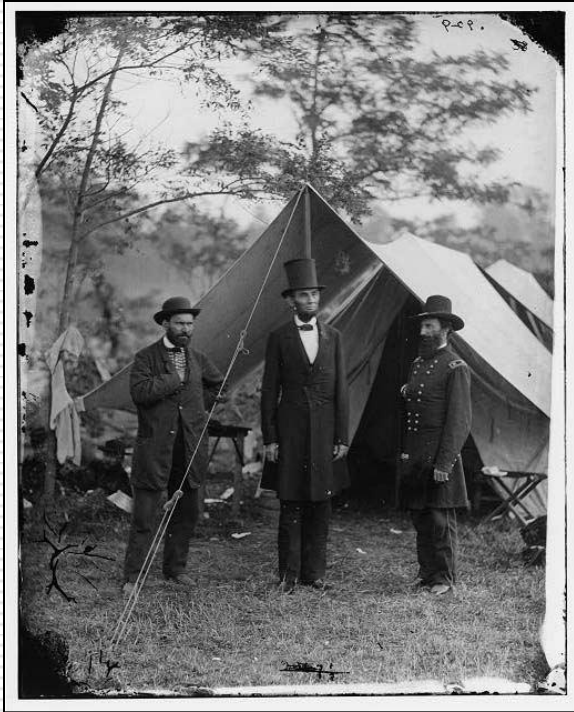


**Vice-President Johnson sworn in
aboard Air Force One
after President Kennedy's
assassination, 1963**

President Bush at Ground Zero after 9-11



Moral Persuader/Chief Citizen



President Lincoln during the Civil War, 1862



President Roosevelt and the “Bully Pulpit,” 1910

III. Informal Powers

- ❑ Those powers not explicitly written in the Constitution
 - ❑ Similar to “necessary and proper” powers of Congress
 - ❑ In the modern era (since 1933), the President’s informal powers may be significantly more powerful than his formal powers
-



"I have used every ounce of power there was in the office and I have not cared a rap for criticisms of those who spoke of my 'usurpation' of power;...I believe that the efficiency of this Government depends upon its possessing a strong central executive."

Theodore Roosevelt, 1908

Executive Orders

- ❑ Orders issued by the President that carry the force of law
- ❑ FDR's internment of Japanese Americans
- ❑ Truman ends segregation in military
- ❑ GWB trying suspected terrorists in military tribunals, limit stem cell research funding



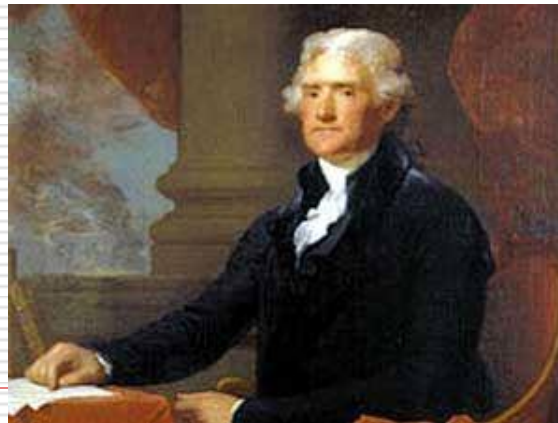
Notice for Japanese
“relocation,” 1942

School House
rock

SNL School
House

Executive Agreements

- ❑ International agreements, usually related to trade, made by a president that has the force of a treaty; does NOT need Senate approval
- ❑ Jefferson's purchase of Louisiana in 1803
- ❑ Not binding on subsequent administrations



Executive Privilege

- Claim by a president that he has the right to decide that the national interest will be better served if certain information is withheld from the public, including the Courts and Congress
- *United States v. Nixon* (1973) – presidents do NOT have unqualified executive privilege (Nixon Watergate tapes)



Presidential Signing Statements

- Pronouncements issued by the president when bills are signed into law- what parts a president might choose not to enforce
- Faithfully executing the law?
- What is a signing statement similar to?

