

AP AMERICAN GOVERNMENT

Unit Four Part 2

The President and the Bureaucracy



Unit 4 Learning Objectives

Running for President

- 4.1 Outline the stages in U.S. presidential elections and the differences in campaigning at each stage.

The Electoral College

- 4.2 Assess concerns regarding presidential elections and reforms that have been proposed.

The Powers of the Presidency

- 4.3 Describe the constitutional foundations of the presidency and of the formal and informal roles of the president.

Controversies in Presidential Power

- 4.4 Evaluate the controversies surrounding presidents' assertion of additional executive powers.

Unit 4 Learning Objectives

Managing the Presidency

- 4.5 Outline the functions of the White House staff, the cabinet, and the Vice President.

Congress and the Presidency

- 4.6 Identify the sources of presidential-congressional conflict and the tools presidents use to influence Congress

Chapter 12: The Presidency



- Structure and Powers
- Controversies in Power
- Managing the Presidency
- Job of the President
- Congress and the Presidency
- Judging Presidents

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The Powers of the President

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The intent of the Framers:

- Delegates feared both anarchy and monarchy
- Balance legislative and executive branches
- Expected Congress to be the dominant institution

Presidential and Parliamentary Systems

- Presidents may be outsiders; prime ministers are always insiders
- Presidents have no guaranteed majority in the legislature; prime ministers always do
- **Divided government:** one party controls the White House and another controls one or both houses of Congress
- Prime Ministers control the legislature, judicial, and executive; the President has no real control except veto

Powers of the President



The Constitution only gives six specific powers:

Article I, Section 7

1. Veto power

Article II, Section 2

2. Commander-in-Chief
3. Chief Executive
4. Power of Appointment
5. Treaty-making power
6. Power to Pardon



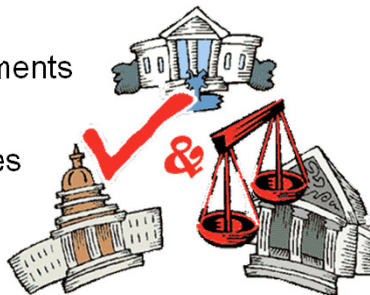
Article I, Section 7: The Veto Power

- **Sign the legislation**
 - the bill becomes law.
- **Veto the legislation**
 - the bill does not become law, unless both Houses of Congress vote to *override* the veto by two-thirds vote.
- **Take no action.** *The president neither signs nor vetoes the legislation. After 10 days:*
 - If Congress is still convened, the bill becomes law.
 - If Congress has adjourned the bill does not become law. This latter outcome is known as the **pocket veto**.
- **No line-item veto**
 - (*City of New York v Clinton*, 1998)

How are the President's powers checked?



- **The Veto power**
 - ✓ Congress can over-ride veto
- **Commander-in-Chief**
 - ✓ Congress has power to declare war
- **Power of Appointment**
 - ✓ Senate must confirm appointments
- **Treaty-making power**
 - ✓ 2/3rd Senate must ratify treaties
- **Power to Pardon**
 - ✓ Not in cases of Impeachment



Controversies in Presidential Power

4.4 Evaluate the controversies surrounding presidents' assertion of additional executive powers.

1. Impoundment

- 4. Refusal to spend appropriations passed by Congress.
- 5. *Impoundment Control Act* and *Train v. City of New York* removed this power

2. Signing Statements

- 4. Issued by the President stating his intent not to enforce a law.
- 5. *Used since Clinton, most experts believe it is unconstitutional*

Controversies in Presidential Power

Implied Powers

3. Sovereign Immunity (11th Amendment)

- Public officials and the government may not be sued in pursuit of official duties unless immunity is waived.
- *Jones v. Clinton*, 1997, ruled *President no immunity for acts done before taking office and unrelated to the office.*

4. War Powers Resolution, 1973

- Troops cannot be used unless declaration of war or national emergency; use must be reported within 48 hours and must end within 60 days if Congress does approve
- *Most Presidents believe it is unconstitutional (Reagan, Clinton, Bush, Obama)*

Controversies in Presidential Power

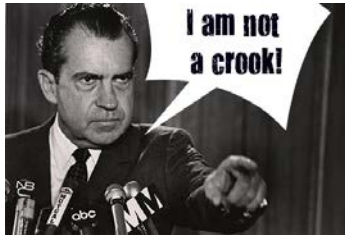
Implied Powers

5. Executive Privilege

- Presidents may keep secrets even if subpoenaed by Congress.
- *US v Nixon*, 1974, ruled it only applies to national security

6. Executive Orders

- Presidential directions for bureaucracy authorized by Article II, Section 3 that he "take Care Laws are faithfully executed"
- *Sometimes exceeds actual authority such as Japanese internment*



LO 12.4

TABLE

12-1 What Can Presidents Change?

Percentage of Americans Who Said the President Has a Great Deal of Influence Over Each of the Following Issues

Housing prices	20%
Interest rates	23%
Inflation	30%
Gas prices	31%
Health care costs	38%
Federal budget deficit	48%
Taxes	48%
The way other countries view the United States	60%

SOURCE: Associated Press-Yahoo Poll, January 18, 2008.

Presidential Programs

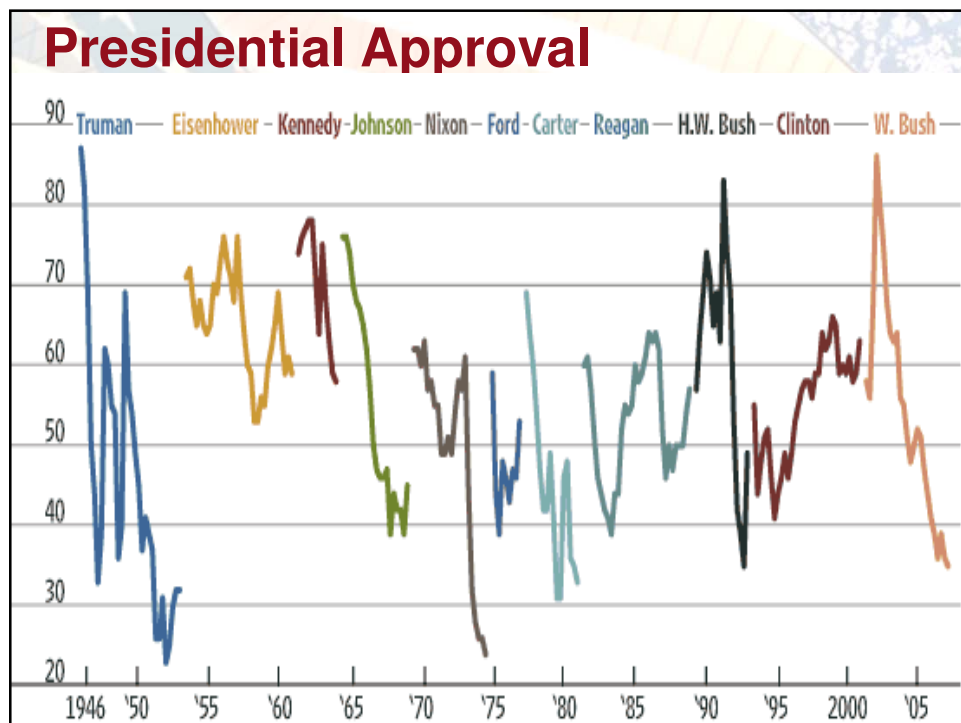
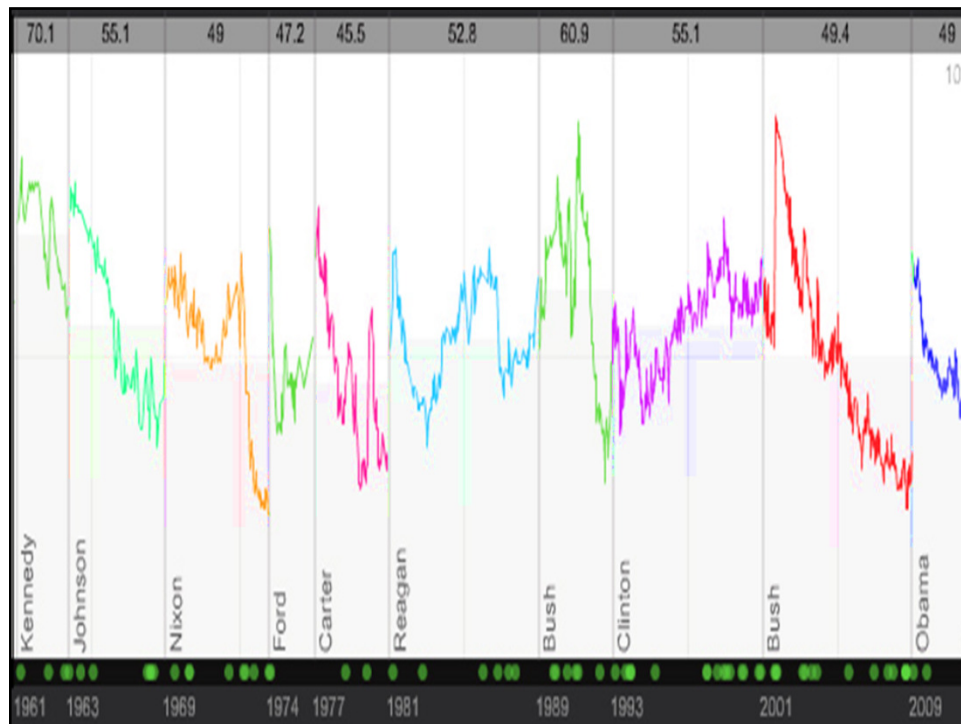
Resources in developing a program include interest groups, aides and campaign advisers, federal departments and agencies, his political party, and various specialists

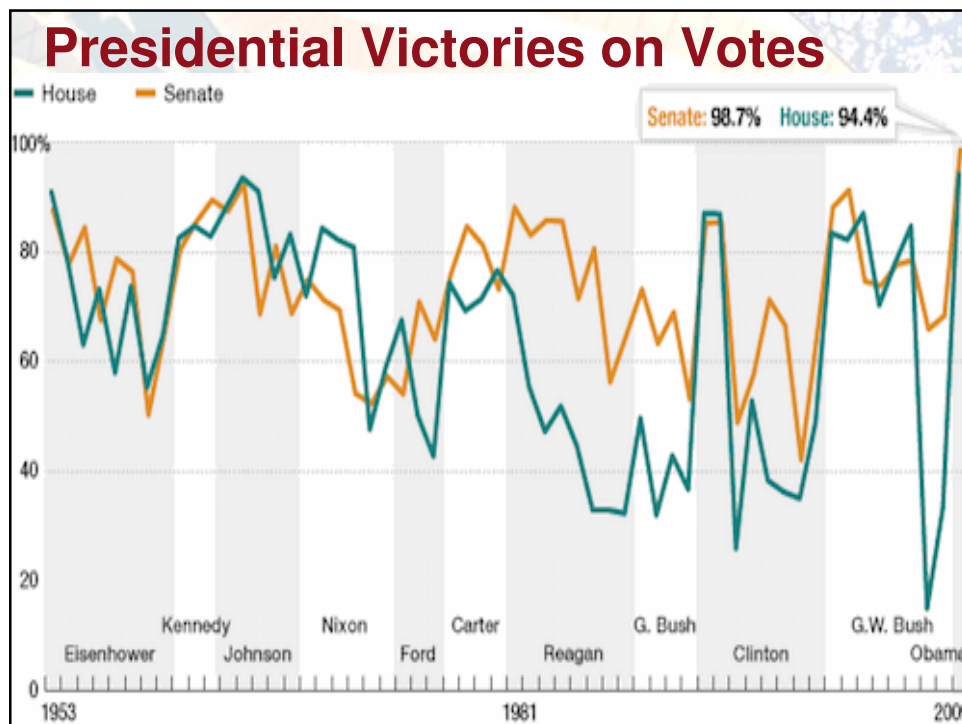


The Power to Persuade

- Presidential coattails
- Presidents try to transform popularity into congressional support for their programs
- Popularity is affected by other factors







Article I, Section 3

The responsibilities of the President

- Give a State of the Union to Congress
- Convene both Houses in emergency
- Dismiss Congress when Disagreement about adjournment
- Receive Ambassadors and Heads of State
- Faithfully enforce the Laws of the United States
- Commission all Officers of the United States military

Managing the Presidency

4.5 Outline the functions of the White House staff, the cabinet, and the Vice President.

The Cabinet

- Not explicitly mentioned in Constitution
- Presidents have many appointments to make:
 - Cabinet
 - Federal Judiciary
 - Ambassadors
 - Military Officers
- *Positions that need to be filled in a given presidential term: 6,478*

The Cabinet Departments

Department	Created	Approximate Employment (2000)
State	1789	27,000
Treasury	1789	142,700
Defense ^a	1947	673,500
Justice	1789	126,300
Interior	1849	68,000
Agriculture ^b	1889	99,300
Commerce	1913	45,000
Labor	1913	16,100
Health and Human Services ^c	1953	62,700
Housing and Urban Development	1965	10,300
Transportation	1966	63,900
Energy	1977	15,700
Education	1979	4,700
Veterans Affairs	1989	220,200
Homeland Security	2002	180,000

The Cabinet Departments



The Cabinet Room



White House Staff

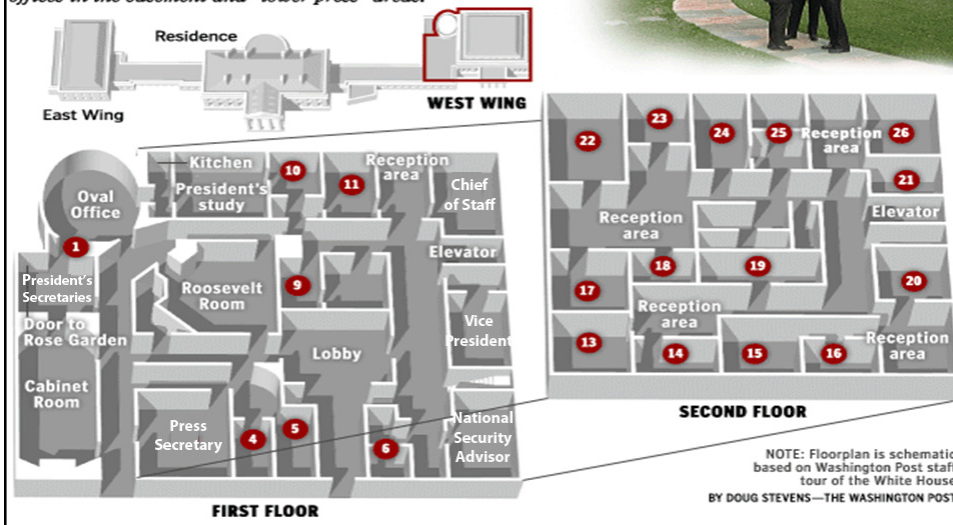
- The immediate staff of the President, often headed by the White House Chief of Staff.
- **Rule of propinquity**



Inside the Real West Wing

Here's the floorplan of the real West Wing of the White House, where everyone is just a few steps away from the Oval Office.

The two greatest indicators of status are the offices' proximity to the president and the quality of their view. Exterior offices with windows, especially on corners, are considered the most desirable. But here in the West Wing, even an office in the basement means you're at the pinnacle of power. Not shown on the map, but listed below, are offices in the basement and "lower press" areas.



White House Staff Organization

- **Pyramid structure:** assistants report through hierarchy to Chief of Staff, who then reports to President

Eisenhower, Nixon, Reagan, W. Bush



Pyramid structure



White House Staff Organization

- **Circular structure:** specialized cabinet secretaries and groups report directly to the President

Obama, Clinton (later), Kennedy



Circular Structure



Operation Geronimo



White House Staff Organization

- **Ad hoc structure:** task forces, committees, and informal groups deal directly with president

Clinton (early in his administration), W. Bush (later in administration)



Ad Hoc Structure

