

# CH 13 THE PRESIDENCY



EQ #24- What are the formal and informal powers of the US

■ President?

# The President of the U.S. (POTUS)

- There have been 45 Presidents
- Highly educated
- Elite
- All men
- P Obama is first non-white P



# 45<sup>th</sup> President- Donald Trump

- Was inaugurated (sworn into office) on Friday January 20, 2017.



# Growth of Presidential Power

- **The role of the President in the U.S. has changed greatly since 1787**
  - At that time P had few powers
  - Chosen by Electoral College far removed from popular vote
- **Today P is less remote and more powerful**
  - Is elected by the people via the Electoral College
  - Powers have increased as P has become a more public figure (t.v. and media)

# Presidents: Who are They?

## Formal Constitutional Requirements- only THREE:

- Must be 35 years old
- Must be a natural-born citizen
- Must have resided in U.S. for 14 years

## Informal “Requirements” (most have had these):

- White, Male, Protestant (most), highly educated, wealthy
- ▣ Ps have had different professions, but mostly political professions (former **state governors** or **Senators with law degrees**)

# The Presidents: How did they get there?

- P can reach the oval office in different ways:
  - Election (most common) in Electoral College (271 votes)
  - Some VPs have taken over after death of a P
  - Most were former **Senators, Vice Presidents or Governors** (Trump is exception- NO formal political experience)
  - Once elected, the P has a term of **FOUR** years.
  - Ratified in 1951, the **22<sup>nd</sup> Amendment** limits the number of P terms to two (or ten years total).

# What is Impeachment?

## Removing a P

- Is a two-part process to (1) CHARGE (impeach; House of Reps) and (2) REMOVE (Senate) the P.
- Can be done for “treason, bribery or other high crimes and misdemeanors.”
- The Constitution sets up the process



# Impeachment- The House

- ▣ the House may vote to impeach (charge) the P with abuse of office by a simple majority vote

THE PROCESS FOR IMPEACHMENT AND CONVICTION IN THE CONGRESS IS AS FOLLOWS FOR THE U.S. HOUSE:



# Impeachment- The Senate

- ▣ The Senate, with the Supreme Court Chief Justice presiding over the trial, puts the President on trial
- ▣ A 2/3 vote in the Senate removes the president from office.

THE PROCESS FOR IMPEACHMENT AND  
CONVICTION IN THE CONGRESS IS AS  
FOLLOWS FOR THE U.S. SENATE:



# Is it possible to impeach but NOT remove?

- YES!
- **Which other government officials can be impeached?**
- Constitution says, “P, VP and all civil officers...” may be impeached.
- Most believe this means Federal Judges & Cabinet-level executive branch leaders only

# Who has been Impeached?

\*Only TWO presidents have been IMPEACHED (charged with misconduct while in office by House)-

-Andrew Johnson & Bill Clinton

\*Neither was convicted/removed by the Senate.

\*Nixon resigned



# Thursday 1/17



- What are the key powers of the President?
- Which are formal? Which are informal? What's the difference?
- Handouts- Chapter Calendar, Powers of P grid
  
- INB Check tomorrow for Congressional Powers chart; use it on open notes quiz

# Warm-Up / Jump Start



- 1. What does the Legislative branch do?
- 2. What does the Executive Branch do?

# What is Succession?

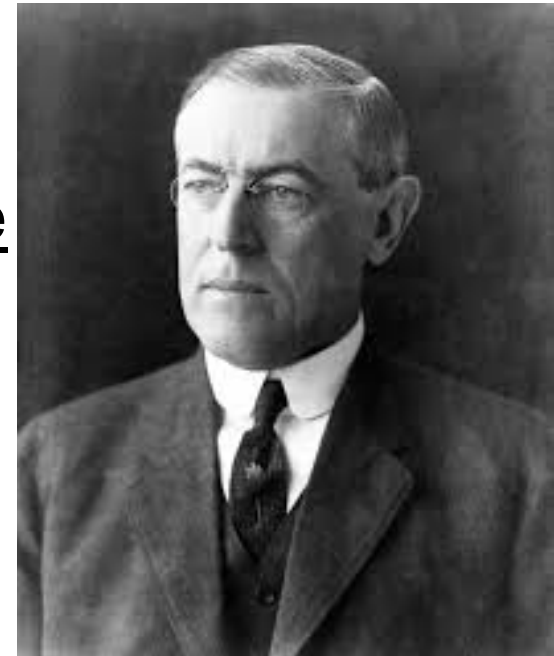
## Replacing a President

- **PRESIDENTIAL SUCCESSION**
  - Is the plan by which a presidential vacancy is filled.
  - **The Presidential Succession Act of 1947** set the order of succession following the Vice President.

#	Office
1	Vice President of the United States
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
—	Secretary of the Interior
8	Secretary of Agriculture
9	Secretary of Commerce
10	Secretary of Labor
11	Secretary of Health and Human Services
12	Secretary of Housing and Urban Development
13	Secretary of Transportation
14	Secretary of Energy
15	Secretary of Education
16	Secretary of Veterans Affairs
17	Secretary of Homeland Security

# How did the 25<sup>th</sup> Amendment affect Succession?

- **25<sup>th</sup> Amendment (1967)**
- Made it clear that the Vice-President will become President if the P resigns or is removed from office.
- Also clarified what happens if the P becomes disabled while in office.
- VP & a majority of cabinet must vote to declare the P disabled; VP takes over until P can resume duties
- This has never happened since it passed



\*Wilson had a stroke when in office and was briefly disabled prompting 25<sup>th</sup> A.



# The Presidents who didn't serve full term...

**Table 13.2 Incomplete Presidential Terms**

PRESIDENT	TERM	SUCCEDED 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 <sup>a</sup>	Andrew Johnson
James A. Garfield	March 4, 1881–September 19, 1881	Chester A. Arthur
William McKinley	March 4, 1901–September 14, 1901 <sup>a</sup>	Theodore Roosevelt
Warren G. Harding	March 4, 1921–August 2, 1923	Calvin Coolidge
Franklin D. Roosevelt	January 20, 1945–April 12, 1945 <sup>b</sup>	Harry S Truman
John F. Kennedy	January 20, 1961–November 22, 1963	Lyndon B. Johnson
Richard M. Nixon	January 20, 1973–August 9, 1974 <sup>a</sup>	Gerald R. Ford

<sup>a</sup>Second term.

<sup>b</sup>Fourth term.

# Presidential Power- Has Increased

- The US Constitution granted the P fairly limited powers
- This was by design—to keep P from gaining too much authority (like a King)
- But the P's power has INCREASED greatly due to -
  - 1. National Crises that demand decisive action (Great Depression; wars/conflicts)
  - 2. The complexity of the modern world- increased communication makes P more of a visible leader

# Presidential Power

## CAN

- Make treaties with the approval of the Senate.
- Veto bills and sign bills.
- Execute spending on behalf of congress.
- Grant pardons.
- Enforce the laws that Congress passes.
- Act as Commander-in-Chief during a war.
- Lead his political party.
- Call out troops to protect our nation against an attack.
- Make suggestions about things that should be new laws.
- Represent our nation in talks with foreign countries.
- Nominate Cabinet members and Supreme Court Justices and other high officials.
- Appoint ambassadors.

## CAN'T

- Make laws.
- Declare war.
- Decide how federal money will be spent.
- Interpret laws.
- Choose Cabinet members or Supreme Court Justices without Senate approval.

# PRESIDENTIAL POWER

# Presidential Powers Graphic Organizer Activity

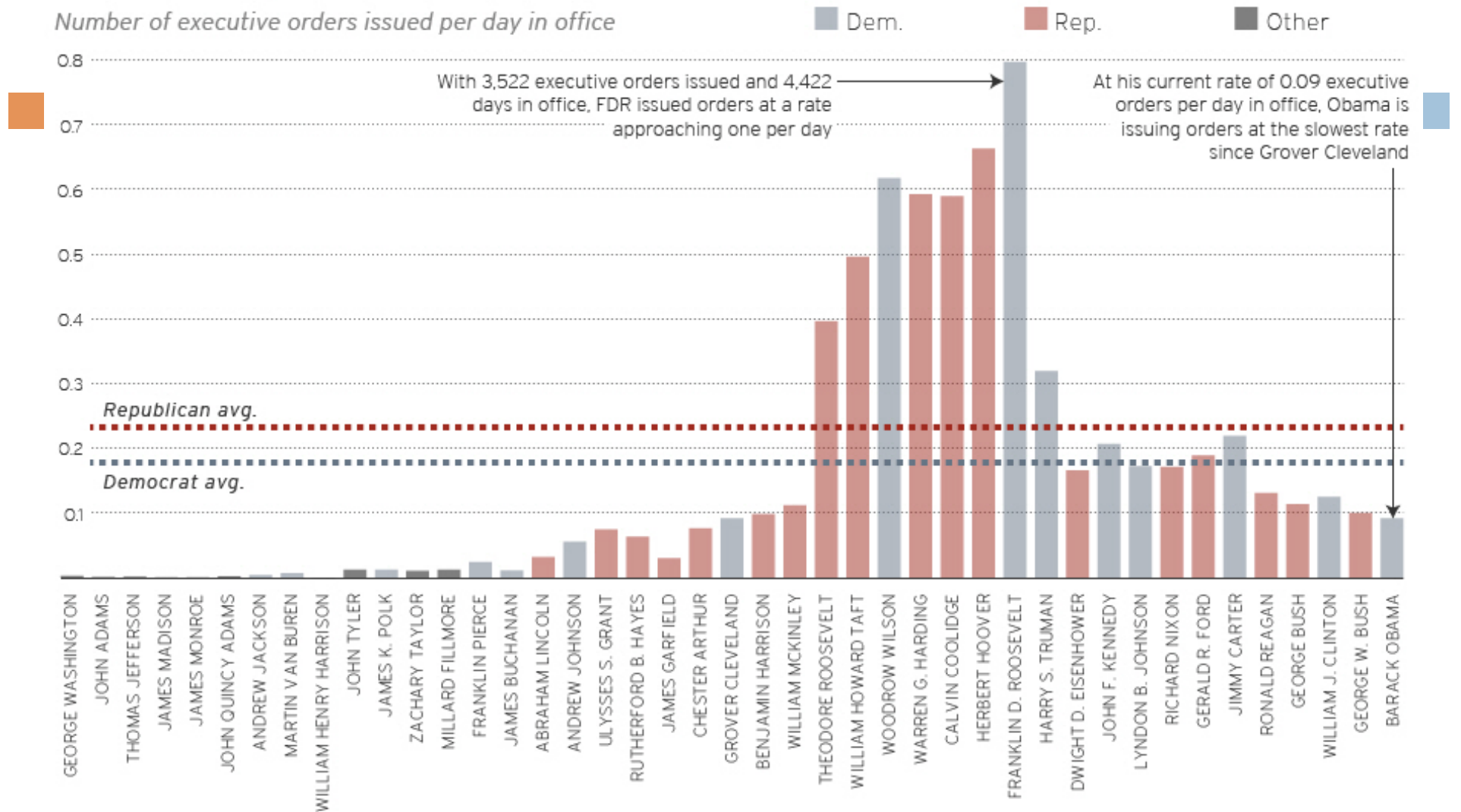
- Group of THREE
- Divide work:
  - Executive
  - Diplomatic & Military
  - Legislative and Judicial
- Answer the questions in writing for your section due by the end of class today
- Put into graphic organizer in class Friday to share with group

# Presidential Powers- Executive Powers

- ❑ Enforce and carry out the laws passed by Congress
- ❑ **EXECUTIVE ORDERS**- issued by P alone; these are like laws but used to direct executive branch members. Implied by ability to “faithfully execute the laws...”
- ❑ **Appoint** and **remove** top officials in executive office (cabinet members, Supreme Court Justices, military officers) with Senate approval
- ❑ **Executive Privilege**-
  - Is NOT in the Constitution; cannot be used if crime involved.
  - Allows P (& other high officials of the executive branch) to keep certain communications private if their disclosure would disrupt the functions of the executive branch.

# A history of executive orders

Number of executive orders issued per day in office



Graphic by Christopher Ingraham. Executive order tallies from the American Presidency Project. Days served from Wikipedia.

Note: Grover Cleveland's two non-consecutive terms were merged together for the purposes of this chart.

# Warm-Up -Executive Orders

- Read the article on Executive Orders
- Answer the questions #1-4 as a warm-up
- 1. What is an executive order? Who can use them? Where does the power come from?
- 2. What are some examples of executive orders? Are most trivial or significant?
- 3. Why are they controversial? Cite TWO reasons.
- 4. What can Congress do to check an executive order? Explain TWO ways. Is it easy to do this?

# P's Legislative Powers

## □ Legislative Powers

- P can Veto (reject) proposed bills
- Line-item veto-power to veto portions of a bill; has been ruled UNCONSTITUTIONAL (at national level) by Supreme Court as it can be used to create unintended laws; some states have it, though.
- Report to and inform Congress of his agenda in annual the **State of the Union** Address to Congress.
- **Budget Address-** P gives speech to formally propose federal government spending budget each year in February to Congress; Congress will revise, approve and enact the budget.



# Diplomatic Powers

- ▣ Make **treaties** - formal agreements with other nations; requires 2/3 Senate approval
- ▣ **Executive Agreements** - need no Senate approval, are less formal and are pacts with other nations
- ▣ **Recognition**—official acknowledgement of support to other nations (or may withdraw it)
- ▣ **Persona non grata** – “unwelcome person;” is the official dismissal of a foreign country’s ambassadors or other officials by the US government during conflict

# President's MILITARY Powers

## □ Military Powers

- As commander-in-chief, P is head of military and can engage in (but NOT declare) war by moving troops
- All modern conflicts have been initiated by Presidents moving troops (Korea, Vietnam, Gulf War, Iraq)

# Military Powers



- ▣ Since WWII, President's have used their Commander-in-Chief power to circumvent Congress' war powers.
- ▣ Congress passed the **War Powers Act** in 1973
  - Designed to limit the P's war-making powers
  - Requires combat to stop after 60 days without the authorization of Congress
  - Probably unconstitutional (because it requires a Legislative Veto) but works as a threat

# Presidential Powers



## Judicial Powers

-P has the power to forgive federal crimes

-Not widely used

-Grant a **reprieve** - postponement of a sentence

-Grant **pardon** - forgiveness of a crime

-**Commutation** - reducing a sentence

-Grant **amnesty** - a general pardon offered to a group of citizens

# TUESDAY JAN 22

- **P Powers warm-up and open notes quiz**
- **C-Notes** on P roles and responsibilities
- **FRQ Analysis**
  - ▣ Review scoring guide. Is that all you need to say? NO!
  - ▣ Look at example and score
  - ▣ Look at your score and comments
  - ▣ How can you improve?
- **FRQ Practice-** Timed write practice

# Warm-Up- Presidential Powers

1. Formal agreement with another country
2. Reduces a sentence in prison
3. The P's most important legislative power
4. An agreement with another country; no Senate approval needed.
5. How can the P's appointment power be checked?
6. Who must approve a Treaty? How many votes?
7. Is a directive with the force of law coming from the P
8. P can't be forced to testify about classified info
9. A President is limited in the use of judicial powers to only federal crimes. T or F
10. As commander-in-chief, the P can declare war. T or F

# Open Notes Quiz



- Presidential Powers