



## US Politics and Government – Presidency

Politics Edexcel and AQA – revision notes – based on Hodder Education revision guides

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### Powers of the president

#### 1 – As a head of state = representing the USA to the world

- Attending global summits.
- The public face of the country.
- Making treaties.
- Nominating ambassadors and receiving foreign ambassadors.
- Granting pardons: Obama used executive clemency for federal crimes to 1927 people, 212 of which full pardons.

#### 2 – As a head of government = Chief Executive

- Chief appointing officer: senior federal judges and the Supreme Court, executive branch positions.
- Cabinet: an advisory group that is selected by the president to help with decision-making and coordination in the federal government. However, it is not a decision-making body. The heads of the 15 executive departments are usually members of the cabinet, with added members chosen by the president.

The cabinet is not mentioned in the constitution

- Signing or vetoing legislation; can also propose legislation usually during the annual State of the Union Address.
- Executing legislation.
- Appointing the cabinet.
- The State of the Union Address.

#### 3 – As a commander-in-chief

- Heading the armed forces.
- Responsible for all matters of defence.

## Informal sources of presidential powers

### (1) Executive orders = direct orders

These are not the same as legislation, but they have similar effects in terms of the implications because it is 'to do' or 'not to do' orders so they mimic policy making.

### (2) Mandate

Depending on election results, some presidents enjoy more mandate than others.

### (3) The president's team, the White House Office

A popular VP and/or cabinet members can be either an asset or a burden on the authority and popularity that the president can command.

### (4) Events

Significant events such as wars, natural disasters or terror attacks, can impact significantly on the authority and support for the president.

- **Constitutional checks and balances on the powers of the president**, how and when they can be exercised, can pave the way for persuasion tactics to push forward certain ideas: such as Obamacare; a combination of both popular mandate and personal popularity.

## The Vice-President

### **Elected on a joint ticket with the president, with five powers:**

- Presiding officer of the Senate.
- Voting in case of a tied vote in the Senate.
- Counting the Electoral College votes following the presidential elections.
- Becoming a president in the event of the death, resignation or removal of the incumbent president.
- Becoming a president if the incumbent president is declaring oneself disabled such as when they undergo a medical procedure.

## The Executive Office of the President (EXOP)

Composed of about 500 members of staff and as such, part of the federal mechanism.

Established in 1937 following the Brownlow committee declaring that 'the president needs help':

- (1) **The White House Office (WHO)** = Chief of Staff, press secretary and closest advisors. Coordination of all executive departments and agencies, briefing the press, and controlling access to the president.

- (2) **The National Security Council (NSC)** = headed by the National Security Advisor, its main focus is on foreign policy and briefing the president daily on military and security issues.
- (3) **Office of Management and Budget (OMB)** = responsible for federal spending, advising the president on budget issues and financing of legislative agenda.

### Factors affecting the relationship between the president and Congress

- (1) **Separation of powers** = the president needs the support of Congress for funding of federal expenditure, passing legislation, approving military action, etc.
- (2) **Separate mandate** = members of the Congress are given their mandate by the constituents, and particularly in the House with 2-year elections, they do feel accountable.
- (3) **President's popularity** = a popular president can rely on persuasive powers and charisma to manage his relationship with the Congress.
- (4) **Divided government** = between which party controls the Congress and the party of the president.
- (5) **Direct authority** =
  - **Executive orders** = can lead to hostility and resentment at the Congress because of bypassing its functions.
  - **Signing statements** = issued by the president on signing a bill which can challenge some provisions of the bill.
  - **Recess appointments** = a temporary appointment for a federal office while the Senate is in recess, to fill a vacancy.
  - **Executive agreement** = reached between the president and a foreign nation on matters that do not require a formal treaty that need to be approved.
- (6) **The president and foreign policy** =
  - The constitution grants certain powers to the president including acting as a **commander-in-chief** of the armed forces, negotiating treaties and appointing relevant incumbents such as secretary of state and secretary of defence, director of the CIA, ambassadors.
  - However, **Congress is also granted some powers** by the constitution, such as a declaration of war (not used since 1941), control of the budget including military spending, ratifying treaties (Senate only), scrutiny via committees.

## Relationship between the president and the Supreme Court

- (1) **Judicial review** = the court can rule against the president's order or legislation.
- (2) **Public criticism** = judges are using the media on matters that are divisive.
- (3) **Appointments** = at times the president gets to appoint a new Supreme Court justice. Trump appointed three. Such appointments of course can affect the relationship of the president with justices and other senior judges.

### Factors affecting presidential success

- (1) Electoral mandate.
- (2) Public approval.
- (3) First versus second term.
- (4) Unified versus divided government.
- (5) Crises.

### Limits on presidential powers

- (1) Congress.
- (2) Supreme Court.
- (3) Interest groups.
- (4) Public opinion and popularity.
- (5) Voters.
- (6) Federal bureaucracy.
- (7) State governments.
- (8) Events and crises.
- (9) **Mid-term elections** = are considered as a form of a referendum on the presidency.

## Presidents

### Clinton (1993-2001)

#### Successes

- Economic growth.
- Reducing the budget deficit.
- Gun control: the Brady Bill for background checks.
- Reducing the size of the federal government.
- Environmental advances.

#### Failures

- Failed to introduce affordable healthcare.
- Foreign policy such as Somalia.

- Federal shutdown 1995/96.
- Failed to extend civil rights: limited reform on gay rights.

## Bush (2001-2009)

### Successes

- Passed the Patriot Act, created the Homeland Security Department, and a range of other measures integral to the war on terror.
- Passed the 'No Child is Left Behind' Act, with bipartisan support.
- Some foreign policy success in Iraq and Afghanistan.
- Reduced taxes.
- Increased defence spending.
- A range of reforms to health and education: tax-free health saving account.

### Failures

- Failed to make progress with social security policies for the elderly.
- Slow response to Hurricane Katrina.
- Issues related to Iraq, Afghanistan, Guantanamo Bay, and a number of foreign policy and human rights issues.
- Presided over a financial crisis and a recession.

## Obama (2009-2017)

### Successes

- Healthcare reform: the Affordable Care Act or Obamacare.
- Withdrawal of troops from Iraq and Afghanistan.
- Effective economic impetus measures including the Recovery Act.

### Failures

- Failed to shut down Guantanamo Bay.
- Failed to pass gun control reform through the Congress in the aftermath of Sandy Hook mass shooting.
- Failed to achieve significant immigration reform.
- Healthcare reform less comprehensive than promised.
- Failed to increase minimum wage, although did raise it for federal contractors.

## Trump (2017-2021)

### Successes

- Significant tax reform, especially cuts for corporations.
- Established a new branch of the military: Space Force.
- Strong economic performance and stock markets.
- Military success against ISIS.

### Failures

- Failed to completely 'repeal and replace' Obamacare.
- Poor management of the crisis of Covid-19.
- Only some areas of the border wall between US and Mexico were replaced or newly built, and they were not paid for by Mexico.
- Failed to implement much of his promised measures on immigration reform.