

Interactions Among Branches of Government Executive & Federal Bureaucracy

We have just one President
Federalist 70

Qualifications for President
Official

- 35 years old
- 14 year resident of U.S.
- natural born citizen
- Vice President held to the same standards

Unofficial

White, Anglo-Saxon, Protestant, male, wealthy, moderate, married w/kids

Presidential Perks

- \$400,000.00/year salary
- \$180,000.00/year expense account
- The White House rent free
- w/pool, putting green, tennis court, exercise room, jogging track
- bowling alley, movie theater, 132 rooms, 32 bathrooms, 42,840 sq. ft.
- Air Force One
 - converted Boeing 747 w/100 meals, medical suite, offices
 - designed to run country during crisis
- Custom built bullet proof limousine
- Secret Service Protection for life
- Camp David
 - Presidential retreat in Maryland
- Residential staff
 - maid, cook, barber, etc.
- Free health care
- Free box seats at the Kennedy Center
- 15,000 gifts a year
 - only get to keep one
- Pension
 - \$143, 800.00/year
 - \$90,000/year for office help
 - free office space and use of the mails

Unfortunately you are limited to two terms or 10 years. ☺
22nd amendment

Presidential Roles & Powers

Head of State

- spiritual leader of the nation
- “rally events”
- delivers State of the Union Address

Chief Executive

enforces the law

Commander-In-Chief of the Armed Forces

commissions all military officers

ensures that all Congressional laws are "faithfully executed"

issues executive orders

power of law as long as not contradicted by Congress or Court

signing statements

informs country of President's interpretation of laws

appoints and fires ambassadors, judges, Cabinet members, top officials

Impoundment

may refuse to spend money Congress allocates for programs

issues reprieves & pardons to federal prisoners

can grant a general amnesty

Chief Legislator

the President will design a legislative program every year

budget & State of the Union

veto Power

line item veto

can call Congress into special session

Chief Diplomat

meet with foreign dignitaries & heads of state

recognition of leaders provides them with prestige

negotiates treaties (subject to Senate confirmation)

Executive Agreements

agreements reached by executive order (see above)

Party Leader

patronage

the President controls thousands of federal jobs

coattails

how much influence the President has over other elections

long vs. short coattails

Informal Powers of the Presidency

acquire new territory

Thomas Jefferson & Louisiana

suspend Civil Rights

Abraham Lincoln & the Civil War

conduct war without a declaration of war

Lyndon Johnson & the Gulf of Tonkin

use of media to influence policy

Theodore Roosevelt & the Bully Pulpit

Limitations of the President's power

Congress

- only Congress can introduce legislation (new laws)

 - "power of the purse" – budget control

- Congress can override Presidential vetoes

Impeachment

- Congress can remove a president for "high crimes & misdemeanors"

 - House of Representatives impeaches(indicts)

 - simple majority vote

 - Senate conducts trial to remove

 - two-thirds majority required

Federal Courts

- can order the President to take certain actions

- can strike down executive orders

Public Opinion

- unpopular Presidents have difficulty working in government

Federal bureaucracy

- thousands of workers may drag their feet implementing changes

 - departments, agencies, commissions, gov corporations

 - The Office of Personnel Management (OPM)

 - Plum Book

 - Independent Regulatory Agency's

 - Fed Reserve, NLRB, FCC, FTC, SEC

 - appointed by President (confirmed by Senate)

 - nearly impossible to fire

 - write and enforce regulations

 - EPA, Education Department, Homeland Security

 - issue fines

 - testify before Congress

 - "iron triangles"

Presidential Succession

- eight Presidents were former Vice-Presidents

 - 25th Amendment

 - President appoints new Vice President if that office is vacant

 - Nixon – Agnew – Ford – Rockefeller

Order of Succession

- Vice President

- Speaker of the House

- President Pro Tempore of the Senate

- Historical Cabinet

- Secretary of State -> Secretary of Homeland Defense

Presidential Disability

- President informs Congress of disability

 - OR

 - Vice-President & half of the Cabinet recommend

2/3 Congressional approval necessary

Vice-Presidential Duties

preside over Senate

vote in case of a tie

succession

Vice-President's have other duties as assigned by President

Harry Truman vs. Al Gore/Dick Cheney

The Cabinet

a group of presidential advisors who each head an executive department

Secretary of State runs State Department, etc.

there are now 15 executive departments

departments can be added/eliminated

see Figure 7.1

selection of Cabinet members

nominated by President

Senate confirms

Informal Cabinets

Kitchen Cabinet – Andrew Jackson

Brain Trust – FDR

Limitations

loyalty and secrecy of Cabinet members can be a problem

Executive Office of the President

established by FDR in 1939

consists of extremely large & diverse staff

The Office of Management and Budget (OMB)

reviews annual budgets

analyzes economic impact of different bills

The Council of Economic Advisors

advise the President on the economy

The National Security Council (NSC)

est. in 1947

consists of President, Vice-President, Sec. of State, Sec. of Defense, NSC director; others (military, FBI, CIA, Justice dept) invited as necessary

NSC has potential conflicts with executive departments

Nixon & Kissinger vs. State Department

The White House Staff

personal staff of the President

secretaries, advisors, residential staff

Chief of Staff runs staff

these people have direct access to the President

control access of others to the President

relations with staff has large influence over day to day operations

Executive privilege

concept that conversations between President and staff are privileged
similar to doctor/patient or attorney/client

Nixon v. United States

Clinton v. United States