

Commander in Chief - War powers

The Constitution makes the President the commander in chief of the nation's armed forces.

Making Undeclared War

- Many Presidents have used the armed forces abroad without a declaration of war.

Wartime Powers

- The President's powers as commander in chief are far greater during a war than they are in normal times.

The War Powers Resolution

- The War Powers Resolution of 1973 limits the President's war-making powers.



Go To
Section:

1

2

3

4

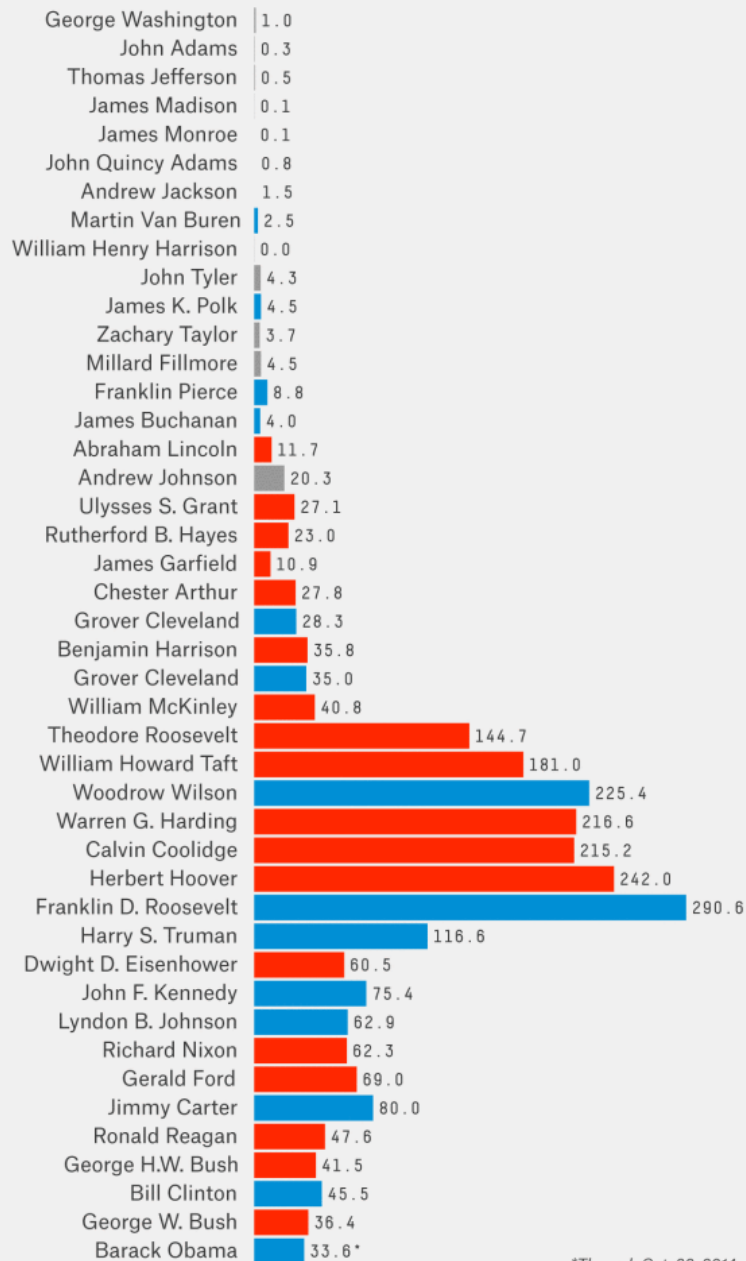
Chapter 14, Section 3

Chief Executive -The Ordinance Power

- **executive order** - directive, rule, or regulation that has the effect of law.
- The power to issue these orders, the **ordinance power**, arises from two sources: the Constitution and acts of Congress.
- Although not specifically mentioned in the Constitution, the ordinance power is clearly intended.
- The size of government has caused Congress to delegate more and more discretion to the President and presidential subordinates.

Executive Orders Have Become A Lot Rarer

Orders per year in office, by president



*Through Oct. 20, 2014

Go To
Section:

Chief Legislator - Legislative Powers

Recommending Legislation

- The State of the Union Address is used to recommend necessary legislation.
- This power is often called the *message power*.

The Veto Power

- All legislation passed by Congress is sent to the President for approval.
- If the President disapproves of a bill, he can veto it. That veto can only be overturned by a two-thirds vote of both houses of Congress. A “Pocket-Veto” occurs when the president fails to sign a bill within 10 days when Congress is adjourned.

Signing Statements

- When a president signs legislation a statement is added to point out a Constitutional problem with the law or to detail how the president will carry out the law



Go To
Section:

1

2

3

4

Chapter 14, Section 4

Chief of State - Judicial Powers

- The Constitution gives the President the power to “...grant reprieves and pardons for offenses against the United States [only for federal offenses, except in cases of impeachment.]” —Article II, Section 2, Clause 1
- A **reprieve** is the postponement of the execution of a sentence.
- **Commutation** is the reduction of a sentence
- A **pardon** is legal forgiveness for a crime.
- **Amnesty** is a blanket pardon of a group.
- These powers of **clemency** (mercy or leniency) may be used only in cases of federal crimes and cannot be challenged in court..



Go To
Section:

1

2

3

4

Chapter 14, Section 4

Chief Administrator - The Appointment Power

- With Senate consent, the President names most of the top-ranking officers of the Federal Government, including:
 - (1) ambassadors and other diplomats;
 - (2) Cabinet members and their top aides;
 - (3) the heads of such independent and EOP agencies as the CIA and NSA;
 - (4) federal judges
 - (5) all officers in the armed forces.

Removal power - The view that the President may remove the officials he appoints without Senate consent has prevailed over time (except for federal judges.)



Go To
Section:

1

2

3

4

Chapter 14, Section 2

Chief Diplomat - The Power to Make Treaties

- A **treaty** is a formal agreement between two or more sovereign nations.
- The President, usually through the secretary of state, negotiates these international agreements.
- All treaties must pass approval by a two thirds of the members present vote in the Senate.



Go To
Section:

1

2

3

4

Chapter 14, Section 3

Chief Diplomat - Executive Agreements

- An executive agreement is a pact between the President and the head of a foreign state, or a subordinate.
- Unlike treaties, executive agreements do not require Senate consent.



Go To
Section:

1

2

3

4

Chapter 14, Section 3

Chief Diplomat - The Power of Recognition

The power of **recognition** is exercised when the President, acting for the United States, acknowledges the legal existence of another sovereign nation.

- The President may show American displeasure with the conduct of another country by asking for the recall of that nation's ambassador or other diplomatic representatives in this country.
- The President can have a foreign diplomat expelled from the U.S.
- The official is declared to be ***persona non grata***, or an unwelcome person.



Go To
Section:

1

2

3

4

Chapter 14, Section 3

Executive Privilege

- *The right of the president of the United States to withhold information from Congress or the courts.*

Examples: Dwight Eisenhower, Richard Nixon, Bill Clinton, George W. Bush

Question: How might the use of Executive Privilege undermine the intent of Checks and Balances?

The Supreme Court has ruled that it may be claimed in matters of national security