

The Executive Branch

- Framers & executive branch
 - Knew dangers of unchecked executive power
 - Knew dangers of rule by committee
 - Wanted balance
- Constitution & Pres
 - Art II creates exec power
 - Art II, Sec 1, Cl 1
- Executive Powers
 - Art II, Sec 3
 - Art II, Sec 2, Cl 1
 - Art II, Sec 2, Cl 2
 - Art I, Sec 7, Cl 12
 - Art II, Sec 3
 - Power to issue exec orders
 - Art II, Sec 2, Cl 1

- Art II, Sec 2, Cl 2
- “Extraconstitutional” Powers of Pres
 - Powers accrued by tradition
- Checks on presidential power
 - Framers deliberately put checks on pres power
 - Congress is primary law makers
 - Congress can override veto (qualified negative - not pocket)
 - Sen can refuse approval of pres nominees
 - Congress can impeach & convict
 - SC can declare actions of pres unconstitutional
 - Impeachment
- Pres as Administrators
 - Pres must delegate much of their authority
- Presidential Vacancies
 - Art II, Sec 1, Cl 6

- 25th Amend, Sec 4
- Presidential Succession Act (1947)
- Death of Pres “elect”
- Vice-Presidency
 - Position of VP has evolved in recent times
 - Usually chosen to balance out ticket
 - Perform several tasks in addition to acting as president of Senate
 - Roles of VP based upon relationship to pres
 - Position affected by two amendments