

Chapter 14: The Presidency in Action

Section 4

Lecture Notes

AMERICAN GOVERNMENT

PEARSON

► Objectives

1. Explain the President's legislative powers and how they are an important part of the system of checks and balances.
2. Describe the President's major judicial powers.

▶ Key Terms

- **pocket veto:** a method of killing a bill at the end of a congressional session by not acting on it before Congress adjourns
- **line-item veto:** the power to cancel out specific provisions, or line items, in a bill while approving the rest of the measure
- **reprieve:** the postponement of the carrying out of a criminal sentence

▶ Key Terms, cont.

- **pardon:** the legal forgiveness of a crime
- **clemency:** the power of mercy or leniency
- **commutation:** the power to reduce a fine or the length of a sentence imposed by a court
- **amnesty:** a blanket pardon offered to a group of law violators

► Introduction

- How can the President check the actions of the legislative and judicial branches?
 - By using the message power to influence Congress to pass desired legislation
 - By vetoing bills passed by Congress
 - By issuing signing statements
 - By pardoning citizens accused or convicted of crimes
 - By reducing fines or the length of sentences
 - By granting amnesty to groups of people

▶ Legislative Powers

- As party chief, the President can greatly influence Congress.
- The President sends messages to Congress to suggest legislation.
- There are three major messages a year:
 - The **State of the Union**, delivered to a joint session of Congress.
 - The President's **budget message**
 - The **Annual Economic Report**

▶ Veto Power

- Checkpoint: What options are available to the President when presented with a bill?
 - Every bill or measure requiring the consent of both House and Senate must be submitted to the President.

▶ Veto Power, cont.

– In response, the President can:

- Sign the bill into law
- Veto the bill
- Allow the bill to become law by not acting upon it within ten days
- Exercise a pocket veto at the end of a congressional session by not acting on the bill before Congress adjourns in under 10 days.



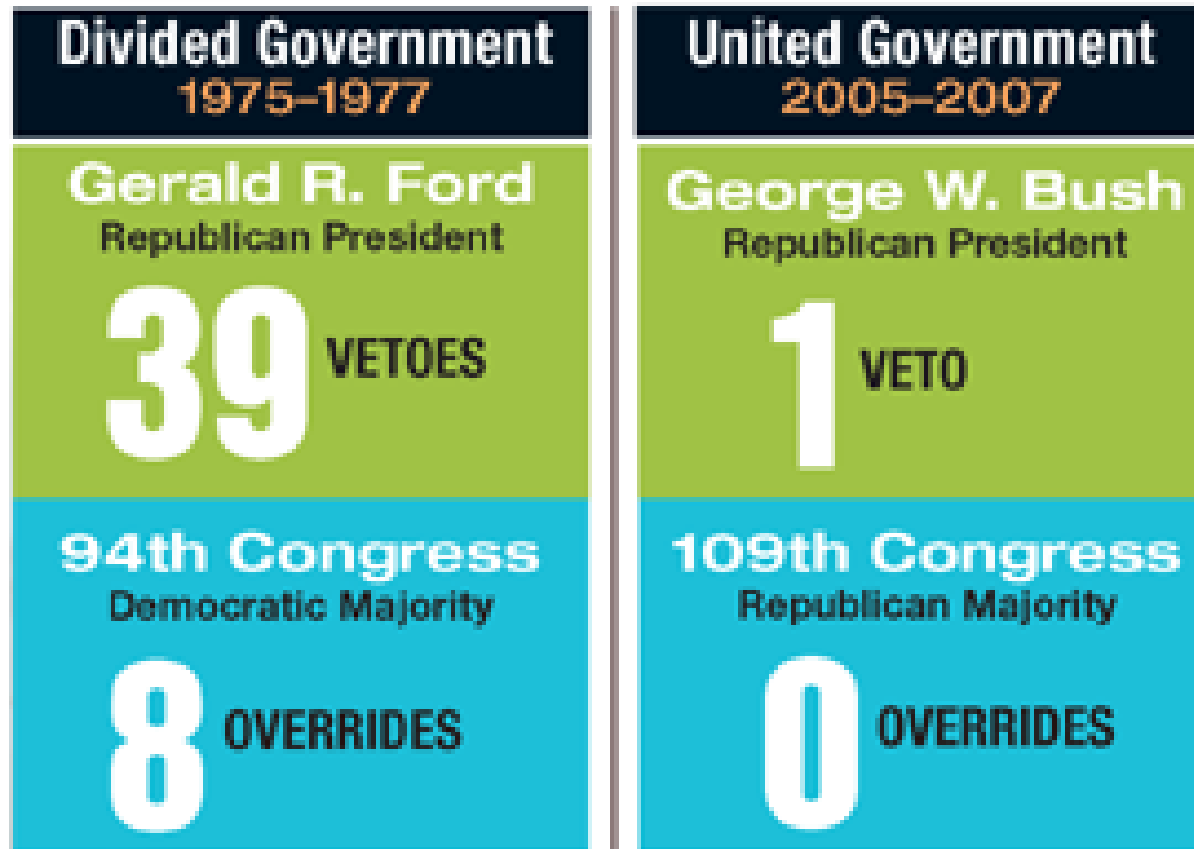
President Ford prepares to address the nation about his decision on vetoing a tax cut.

► Overriding a Veto

- Congress can override a veto with a two-thirds majority, but this rarely happens.
 - It is difficult to gather enough votes in each house for a veto override.
 - The mere threat of a veto can often defeat a bill or cause changes to its provisions.
 - Early Presidents rarely exercised the veto, but it is common today.

The Power of the Veto

When the President and the majority of Congress are of the same party, vetoes tend to be rare. They tend to be more frequent during periods of divided government. *Do you think the veto gives the President too much authority?*



▶ Signing Statements

- Signing statements describe how a new law should be enforced or point out problems that the President sees with the law.
- Presidents may issue signing statements when signing a bill into law.

► Singing Statements, cont.

- President George W. Bush issued a record number of signing statements.
 - He claimed the power to refuse to enforce certain provisions of a law or to interpret it as he saw fit.
 - Critics saw this as an attempt to veto bills without exercising a formal veto.



▶ Line-Item Veto

- The President can either accept all of a bill or reject all of it.
- The Supreme Court has ruled that the line-item veto power can only be given to the President by a constitutional amendment.
 - How is a line-item veto different from a regular veto?

▶ Line-Item Veto, cont.

- The proposed line-item veto would allow the President to cancel out some parts of a bill while approving others.
 - Supporters argue that this would **cut down on wasteful federal spending**.
 - Opponents argue that the line-item veto would **shift too much power** from the legislative branch to the executive branch.

▶ Judicial Powers

- The President can grant **pardons** and **reprieves** in federal cases.
 - The President can pardon people before they have even been tried or convicted, though this is rare.
 - President Gerald Ford famously pardoned former President Nixon in 1974 before Nixon had been tried.
 - A person must accept a pardon for it to go into effect.
 - The Supreme Court upheld this rule in 1915.

▶ Judicial Powers, cont.

- Checkpoint: What powers are included under the power to pardon?
 - The President can **commute**, or reduce, a fine or prison sentence.
 - The President can also issue a blanket **amnesty** that pardons a group of people.
 - In 1893, President Benjamin Harrison pardoned all Mormons who had violated polygamy laws.
 - In 1977, President Jimmy Carter gave amnesty to all Vietnam War draft evaders.

► Review

- Now that you have learned about the way in which the President can check the actions of the legislative and judicial branches, go back and answer the Chapter Essential Question.
 - How much power should the President have?