

Analyzing Presidential Decisions

Informal Powers of the President	
Executive Orders	This instrument of presidential power is nowhere defined in the Constitution but generally is construed as a presidential directive that becomes law without prior congressional approval. It is based either on existing statutes or on the president's other constitutional responsibilities. For the most part, presidents issue executive orders to establish executive branch agencies, to modify bureaucratic rules or actions, to change decision-making procedures, or to give substance and force to statutes.
Executive Agreements	A pact (not a treaty) made by the president with a foreign government made without Senate approval. For presidents, the executive agreement is a potent foreign policy tool because it allows them to act without seeking congressional backing.
Executive Privilege	Executive privilege is a claim asserted by the president of the United States and other members of the executive branch to justify the withholding of documents and information from other branches of government.
Signing Statements	The addition of written comments that convey instructions to the various agencies that will carry out a law the president has just signed. It is done to call attention to an issue or offer a slightly different interpretation of a law the president otherwise supports.

Example Scenario	
Today I have signed into law H.R. 3295, the "Help America Vote Act of 2002..." the Act appropriately respects the primacy of State and local governments in the administration of elections, while helping to ensure the integrity and efficiency of voting processes in Federal elections by providing Federal governmental support for that vital endeavor. Section 203(a)(2) of the Act mandates that members of the congressional leadership submit to the President recommendations of persons to be appointed to the Election Assistance Commission...The executive branch will not construe this provision as establishing the submission of congressional recommendations as a condition precedent to presidential nomination of persons for appointment to the Commission. Such a construction would impose impermissible constraints on presidential power under the Appointments Clause of the Constitution. — George W. Bush, signing statement on the "Help America Vote Act", 2002	
Identify & explain which formal Constitutional power(s) apply to this scenario.	Presidential Appointment power — Article II, Sec. 2, Cl. 2
What informal power(s) of	Signing Statement

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