Digital Learning Campbell Week 2 Assign. 6 Executive Orders

**Name:**

**Period:**

**Date:**

Directions: In complete sentences, answer and email the questions that follow the expository (factual) article. Do not send the answers alone; include the article.

Source: <https://www.history.com/topics/us-government/executive-order>

**Executive Order**

An executive order is an official directive from the U.S. president to federal agencies that often have much the same power of a law. Throughout history, executive orders have been one way that the power of the president and the executive branch of government has expanded—to degrees that are sometimes controversial.

**What is an Executive Order?**

The [U.S. Constitution](http://www.history.com/topics/constitution) does not directly define or give the president authority to issue presidential actions, which include executive orders, presidential memoranda and proclamations.

Instead, this implied and accepted power derives from Article II of the [Constitution](https://www.history.com/topics/constitution), which states that as head of the [executive branch](http://www.history.com/topics/executive-branch) and commander in chief of the armed forces, the president “shall take Care that the Laws be faithfully executed.”

With an executive order, the president instructs the government how to work within the parameters already set by Congress and the Constitution. **In effect, this allows the president to push through policy changes without going** through Congress.

By issuing an executive order, the president does not create a new law or appropriate any funds from the U.S. Treasury; only Congress has the power to do both of these things.

**How an Executive Order is Carried Out**

Any executive order must identify whether the order is based on the powers given to the president by the U.S. Constitution or delegated to him by Congress.

Provided the order has a solid basis either in the Constitution, and the powers it vests in the president—as head of state, head of the executive branch and commander in chief of the nation’s armed forces—or in laws passed by Congress, an executive order has the force of law.

After the president issues an executive order, that order is recorded in the Federal Register and is considered binding, which means it can be enforced in the same way as if Congress had enacted it as law.

**Checks and Balances on Executive Orders**

Just like laws, executive orders are subject to legal review, and the [Supreme Court](http://www.history.com/topics/supreme-court-facts) or lower federal courts can nullify, or cancel, an executive order if they determine it is unconstitutional.

Similarly, Congress can revoke an executive order by passing new legislation. These are examples of the [checks and balances](http://www.history.com/topics/checks-and-balances) built into the system of U.S. government to ensure that no one branch—executive, [legislative](http://www.history.com/topics/legislative-branch) or [judicial](http://www.history.com/topics/judicial-branch)—becomes too powerful.

**Questions**

**1. How are presidents allowed to issue executive orders if is not directly stated in the constitution that they have this power?**

**2. Where are all executive orders recorded?**

**3. How can Congress and the Supreme Court invalidate or deny an executive order?**

**4. Why does Congress and the Supreme Court have the power to cancel an executive order?**