

Gov 1539: Section 5

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March 19th, 2021

The goals for today

- **Feedback:** <https://forms.gle/o2Gih9Q8TmJk98GW7>
 - still up!
 - some questions from last time
 - Yellowdig feedback?
 - Exam grades?
- **Memo #2** is posted
 - Feel free to let me know if you have any questions.
 - Office Hours / setup a meeting to talk about your argument.
- **Neustadt 2001** - familiar name, fresh argument.
 - go over *The Weakening White House* in depth.
 - 20 years later, was he correct?

Neustadt 2001 #1: Formal Powers

Neustadt offers a counterpoint to the idea that growth of presidential power has been exclusively increasing during 20th century.

- What are some of the limitations of presidential powers we've already covered?
 - **Vetoes?** Not absolute - can be overridden by Congress.
 - **Unilateral action / executive agency regulations?** Limited by Congress, subject to judicial review.
 - **Appointments?** Many up to Senate consent. Have become more contested and partisan over time.

Neustadt 2001 #1: Formal Powers

Neustadt argues president's formal powers have gradually been 'trimmed at the edges.' In what ways?

- A few examples
 - **National Emergencies Act (1976)**: established congressional oversight on national emergencies, no longer unilateral power.
 - **Buckley v. Valeo (1976)**: essentially equated campaign spending with 'speech', making private fortunes new election concerns.
 - **Limiting reorganization authority**: amendments in 1984 essentially required presidential reorganization to get congressional approval.
 - **Congressional Budget and Impoundment Control Act of 1974**: established CBO to balance OMB, limits unilateral "impoundment."
 - **Others**: 1973 War Powers Act, 1974 FOIA Amendments, Ethics in Govt. Act 1978, etc.

Takeaway: One aim of post-Watergate reforms was limiting "excessive" presidential authority.

Neustadt 2001 #2: Media Revolution



"I want to talk for a few minutes with the people of the United States about banking."

Neustadt 2001 #2: Media Revolution



FDR - Fireside Chats 1933-1934. *Source: AP Photo*

Neustadt 2001 #2: Media Revolution

Despite technological advancements, Neustadt thinks modern presidential media power has declined since mid century. Why? He argues:

- **overexposure**
 - today we're inundated with news about president constantly.
 - other politicians have more access than ever (e.g. TV news, Twitter).
 - Neustadt implies overexposure reduces influence of messages.
- **limited access**
 - FDR "borrowed" networks at discretion of private managers - not always assured today.
 - more competition - people can watch whatever they want. can opt out of news altogether.
 - also more opportunities to hear news interpreted through others - not just 3 major broadcast reports.

Takeaway: "president's capacity to boost his own effectiveness by rallying public opinion has now been dimmed and vastly complicated" (pg. 2).

Why the major networks didn't give President Obama primetime real estate for his immigration speech



By [Jaime Fuller](#)
Reporter

November 21, 2014 at 10:30 a.m. EST

This post has been updated.

On Thursday night, [President Obama gave a primetime address on his planned executive actions concerning immigration reform](#). It's a politically volatile move opposed by most Republicans and considered long overdue by immigration reform advocates, and it is a very big deal.

Most people did not watch this primetime address. The White House [floated](#) the idea of running the speech at 8 p.m. by the major networks, and were greeted with little more than a "Mmm, no thanks."

ABC, NBC, Fox and CBS knew that their customers would not be happy if the President ate into time reserved for some of the most popular shows on television, [including](#) "The Big Bang Theory" and "Bones." (Editor's Note: If I wasn't watching Obama's speech, I'd be watching "The This Old House Hour.")

November happens to be "sweeps" month, when programming tries and encourage more viewers to turn in by promising more exciting content. Presidential sweeps don't always ensure the exciting cliffhangers and plot twists that networks are looking for.



AOC met more than 400,000 young potential voters on their own turf: Twitch

Rep. Alexandria Ocasio-Cortez's first Twitch stream is now one of the platform's most-viewed streams of all time.

By Allegra Frank | @LegsFrank | allegra.frank@vox.com | Oct 22, 2020, 11:10am EDT

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Alexandria Ocasio-Cortez keeps a poker face while playing Among Us on Twitch. | AOC on Twitch



MOST READ



Neustadt 2001 #3: White House Staffing

Argues that increased White House is overstaffed and has become too hard to manage individually.

- Why?
 - says FDR had about 12 White House aides, Clinton over 100.
 - huge increase in press corps - 3 Truman to 40 Clinton.
- Neustadt quote: "So what do these extra White House people actually do?"
 - "scramble to be closest to the throne"
 - "screen outside opinion, sometimes with heavy editing"
 - "press upon [the president] quantities of second-level business"
 - "they press upon outsiders their opinions dressed as [the president's]"

takeaway: managing staff has become more difficult, which complicates everything else.

Executive Office of the President - one particularly important sources of presidential power important to understand.

- What does EOP do? A little bit of everything!
 - Created as consequence of 1937 Brownlow Committee recommendations you read.
 - Led by president's Chief of Staff.
 - Offices include:
 - Office of Management and Budget
 - Council of Economic Advisors
 - National Security Council

Neustadt 2001 #3: Sense of scale



Eisenhower Executive Office Building - houses EOP
Source: Wikimedia

Neustadt 20 years later

With 20 years of hindsight, was Neustadt right? No right answers, but some things to think about:

- **9/11 reforms:** Creating Dept. of Homeland Security, Patriot Act (domestic surveillance), etc.
 - 2001 Authorization for Use of Military Force (AUMF)
 - Authorizes force against those who “planned, authorized, committed, or aided the terrorist attacks” of 9/11.
 - Has been stretched by Bush, Obama, and Trump to authorize force in Yemen, Syria, Niger, etc.
- **Media**
 - Is media overexposure necessarily always a bad thing?
 - NYT said Trump got \$2 billion in free media during 2016 campaign.
 - Some argued that constant media cycle provides **cover** for bad press
 - always a new thing to talk about.