



President Barack Obama Needs to Respect the Constitution

January 17, 2014

In remarks [posted on The White House website](#), on January 14, 2014, President Barack Obama stated:

But one of the things that I'll be emphasizing in this meeting is the fact that we're not just going to be waiting for legislation in order to make sure that we're providing Americans the kind of help that they need. I've got a pen and I've got a phone—and I can use that pen to sign executive orders and take executive actions and administrative actions that move the ball forward in helping to make sure that our businesses are getting the kind of support and help they need to grow and advance to make sure that people are getting the skills that the need to get those jobs that our businesses are creating.

A cornerstone of America's system of government is the separation of powers expressly written in our Constitution. As every middle school student is taught, the legislative branch makes laws, as the executive branch executes those laws.

Specifically, Article I, sections 1 and 8 state: "All legislative Powers herein granted shall be vested in a Congress of the United States...[t]o make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof." As to the power of the President, Article II, sections 1 and 3 state: "The executive Power shall be vested in a President of the United States of America...he shall take Care that the Laws be faithfully executed." Congress makes all (not some) laws and the President faithfully executes those laws. Period.

President Obama seeks to substantially increase his questionable use of executive orders to merge the making and execution of laws, thereby circumventing Congress to remake America into what he solely deems best. The president is not a king. This proposed action violates the Constitution and undermines Main Street America's faith in government. Equally troubling, President Obama's proposed action will lead to extensive litigation, thereby increasing uncertainty for America's business community and delaying the strong economic recovery so desperately needed by countless Americans.

We respectfully urge President Obama to reverse course and demand that Congress aggressively fight every encroachment of its constitutional powers.

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