**http://www.usnews.com/debate-club/is-president-obama-abusing-executive-power**

**Is President Obama Abusing Executive Power?**

The House last week adopted a bill that, as the Associated Press put it, "would expedite congressional lawsuits against the chief executive for [failure to enforce federal laws](http://abcnews.go.com/Politics/wireStory/house-backs-bill-sue-president-laws-22887195)." The measure was approved by a vote of 233 to 181, with every voting Republican, as well as five Democrats, voting in favor.

The bill was spurred by what Republicans see as an abuse of executive power by the Obama administration. They cite executive changes to the Affordable Care Act, known as Obamacare, as well as executive orders regarding immigration and the environment. Republicans are also displeased with the administration for failing to fully enforce federal laws on sentencing and the federal ban on gay marriage.

“The Constitution gives Congress the responsibility to write the laws and the executive to enforce them," said Rep. Trey Gowdy, R-S.C., the bill's sponsor. "We don’t pass suggestions. We don’t pass ideas. We pass laws." House Majority Leader Eric Cantor, R-Va., added: "The president's dangerous search for expanded powers [appears to be endless](http://abcnews.go.com/Politics/wireStory/house-backs-bill-sue-president-laws-22887195)."

President Obama, in his most recent State of the Union address, explicitly said that he would respond to Congressional obstruction by finding measures that could be implemented in the absence of congressional action. "America does not stand still – and neither will I. So wherever and whenever I can take steps without legislation to expand opportunity for more American families, [that’s what I’m going to do](http://www.whitehouse.gov/the-press-office/2014/01/28/president-barack-obamas-state-union-address)," Obama said. Congressional Democrats have defended the president's approach, saying that Republicans want a "do-nothing president," in addition to a "do-nothing Congress." Sen. Majority Leader Harry Reid, D-Nev., said that the House bill is "[dead on arrival](http://www.washingtonpost.com/blogs/post-politics/wp/2014/03/12/house-passes-bill-making-it-easier-for-congress-to-sue-the-president/)" in the Democratically controlled Senate.

Scholars, meanwhile, have split on whether the president is overreaching in terms of executive authority."Obama’s assertion of unilateral executive authority [is just routine stuff](http://www.newrepublic.com/article/116450/obama-use-executive-power-unexceptional). He follows in the footsteps of his predecessors on a path set out by Congress. And well should he. If you want a functioning government — one that protects citizens from criminals, terrorists, the climatic effects of greenhouse gas emissions, poor health, financial manias, and the like — then you want a government led by the president," wrote University of Chicago Law School Professor Eric Posner. But Michael McConnell, a former federal judge who is now aprofessor of law and director of the Constitutional Law Center at Stanford Law School disagrees, writing, "While the president does have substantial discretion about *how* to enforce a law, he has [no discretion about *whether*to do so](http://online.wsj.com/news/articles/SB10001424127887323823004578591503509555268). ... Of all the stretches of executive power Americans have seen in the past few years, the president's unilateral suspension of statutes may have the most disturbing long-term effects."

So is President Obama abusing executive power? Here is the Debate Club's take: