

# The 9-11 victims bill and override of president Obama's last veto

## Background of Barack Obama

- i. Born August 4, 1961 in Honolulu, Hawaii.
- ii. Parents divorce in 1964; mother remarries and family relocates to Indonesia in 1967.
- iii. Family moves back to Hawaii in 1971.
- iv. Father dies in a car crash in Kenya in 1982.
- v. Graduates from Columbia with degree in international relations in 1983.
- vi. Community Organizer in Chicago, 1985-88.
- vii. Graduates from Harvard Law School in 1991.
- viii. Marries Michele Robinson on October 18, 1992.
- ix. Professor of constitutional law at University of Chicago, 1992-2004.
- x. Mother passes of cancer in 1995.
- xi. Elected to Illinois State Senate in 1996; serves three terms there through 2004.
- xii. Daughter Malia born in 1999; Daughter Sasha born in 2001.
- xiii. Elected to US Senate in 2004.
- xiv. Gives well-regarded keynote speech at 2004 Democratic National Convention.
- xv. Publishes "Dreams From My Father" in 2005 and "The Audacity of Hope" in 2006.
- xvi. Democratic nominee for president in 2008.

## 2008 presidential election

- i. Barack Obama (D) v. John McCain (R).
- ii. First election since 1952 where neither incumbent president nor vice president was a candidate.
- iii. Obama won popular vote by 52.9 to 45.7percent.
- iv. Obama won electoral vote, 365 to 173.
- v. Obama won more states than McCain, 28-22.
- vi. Turnout was about 60percent, exceeded in modern times only by 1952, 1960, 1964 and 1968.
- vii. Democrats won popular vote for the U.S. House of Representatives by 53-44 percent, gained 26seats, and expanded majority to 257-178.
- viii. In U.S. Senate, Democrats gained seven seats and had 56-41 majority.
- ix. Obama became first African American elected to presidency.

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- x. Inaugurated along with Vice President Joe Biden (D-DE) on January 20, 2009.

## Crisis and response: Obama and congress, 2009-10

- i. Responded to worst economic crisis since Great Depression by signing \$1.67trillion economic stimulus bill and Dodd-Frank Wall Street Reform and Consumer Protection Act;
- ii. Revamped the health care system with the Patient Protection and Affordable Care Act, extending health care to 32million Americans;
- iii. Extended federal unemployment insurance programs and GW Bush tax cuts;
- iv. Ratified New Start Treaty on nuclear weapons reduction with Russia;
- v. Repealed of Pentagon's "Don't Ask, Don't Tell" policy on gays;
- vi. Extended the number of children on school lunch programs;
- vii. Modernized food-safety laws to prevent outbreaks from tainted food;
- viii. Overall, 111<sup>th</sup> Congress enacted 385laws;
- ix. President Obama had record stand success in Congress in 2009 (96.7percent), but his 2010 stand success (85.8percent) declined somewhat.

## Electoral and legislative record after 2010

- i. In 2010, Republicans gained 63seats in House and took control of chamber; Democrats lost six seats in Senate but maintained control, 53-47;
- ii. In 2012, President Barack Obama was reelected with 51.1percent of the popular vote to 47.2 for Republican nominee Mitt Romney. Obama won the electoral vote by 332 to 206 and won 26 states to 24 for Romney. In House, Democrats gained 8

- seats but Republicans maintained control, 234-201. In Senate, Democrats gained 2 seats and held control;
- iii. In 2014, Republicans gained 13 House seats and strengthened control of that chamber, 247-188; Republicans took control of Senate after gaining 9 seats in midterm election;
- iv. 112<sup>th</sup> Congress (2011-13) enacted 284 laws, a historically low number;
- v. 113<sup>th</sup> Congress (2013-15) enacted 296 laws;
- vi. 114<sup>th</sup> Congress (2015-17) enacted 329 laws;
- vii. In his 2015 State of the Union address, President Obama set record for most veto threats when he promised to nix legislation designed to change health care, Wall Street legislation, amnesty, and the Iran nuclear agreement.

### Obama veto record

- i. December 30, 2009: H.J. Res. 64, continuing appropriations for FY2010.<sup>1,2</sup>
- ii. House failed to override, 143-245;
- iii. October 7, 2010: H.R. 3808, Interstate Recognition of Notarizations Act. Override failed in House, 185-235;<sup>3-9</sup>
- iv. February 24, 2015: S. 1, Keystone XL Pipeline Approval Act. Override failed in Senate, 62-36;
- v. March 31, 2015: S.J. Res. 8, disapproval of NLRB rule on case procedure. Senate voted to table veto message, 96-3;<sup>10-17</sup>
- vi. October 22, 2015: H.R. 1735, National Defense Authorization Act for FY 2016; no action;
- vii. December 19, 2015: S.J. Res. 23, disapproval of EPA Rule on emissions; no action;
- viii. December 19, 2015: S.J. Res. 24, disapproval of EPA rule on emissions, no action;
- ix. January 8, 2016: H.R. 3762, Restoring Americans Healthcare Freedom Reconciliation Act of 2015. Override attempt failed in House, 241-186;
- x. January 19, 2016: S.J. Res. 22, disapproval of rule by Corp of Engineers and EPA; no action;
- xi. June 8, 2016: H.J. Res. 88, disapproval of Department of Labor rule; no action;
- xii. July 22, 2016: H.R. 1777, Presidential Allowance Modernization Act of 2016; no action;
- xiii. September 23, 2016: S. 2040, Justice Against Sponsors of Terrorism Act. Overridden by Senate 97-1; overridden by House, 348-77-1 present; enacted as Public Law 114-222 over president's veto.<sup>18,19</sup>

### Obama veto pattern and Hoff presidential support model

- i. Term in Office: predicts more vetoes in the second term (Y);<sup>20</sup>
- ii. Year: predicts more vetoes later within term, especially fourth year (Y);

- iii. Partisan Support: predicts increase in annual vetoes issued when president's party support in Congress declines (Y);<sup>21-27</sup>
- iv. Succession President: more vetoes issued by presidents who are elevated to the office from vice president without election (N);<sup>28</sup>
- v. Unemployment: predicts increase in veto frequency as percentage of unemployed increases (N);<sup>29</sup>
- vi. Number of Public Laws: predicts more vetoes will ensue when more public laws are passed during a session of Congress (N);
- vii. Source: Hoff, Samuel B. 1991. "Saying No: Presidential Support in the Veto Process, 1889-1985," *American Politics Quarterly*, July, 19:3, p. 310-323.<sup>30-34</sup>

**Table I** Comparing Obama Veto Record to Other American Presidents, 1865-2017

President	Regular Vetoes	Pocket Vetoes	Overrides Vetoes	Total
Grant	45	48	93	4
Hayes	12	1	13	1
Garfield	0	0	0	0
Arthur	4	8	12	1
Cleveland	304	110	414	2
Harrison	19	25	44	1
Cleveland	42	128	170	5
McKinley	6	36	42	0
T. Roosevelt	42	40	82	1
Taft	30	9	39	1
Wilson	33	11	44	6
Harding	5	1	6	0
Coolidge	20	30	50	4
Hoover	21	16	37	3
F.Roosevelt	372	263	635	9
Truman	180	70	250	12
Eisenhower	73	108	181	2
Kennedy	12	9	21	0
L. Johnson	16	14	30	0
Nixon	27	17	43	7
Ford	48	18	66	12
Carter	13	18	31	2
Reagan	39	39	78	9
Bush	29	15	44	1
Clinton	36	1	37	2
GW Bush	12	0	12	4
Obama	12	0	12	1

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## Conflicts of interest

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