

Name: _____ Date: _____

The Executive Branch of the U.S. Government



Objective

In this lesson, you will describe how the executive branch of the United States government works.

The President as Leader of the Executive Branch

THE PRESIDENT OF THE UNITED STATES

Article II of the Constitution establishes the president as the leader of the executive branch. It's the president's duty to run the federal government. The vice president helps the president lead the country and succeeds the president in case of death, disability, or resignation.

QUALIFICATIONS FOR THE OFFICE OF PRESIDENT

Age	at least 35 years of age
Citizenship	a natural-born citizen of the United States
Residence	a resident of the United States for at least 14 years

PRESIDENTIAL POWERS

The Constitution also grants the president specific powers and establishes presidential functions and responsibilities, such as chief administrator, head of state, and commander in chief.

PRESIDENTIAL POWERS AND DUTIES

Military Power	Diplomatic Power
<p>As the <u>commander in chief</u> of the armed forces, the president acts as the civilian head of the military.</p> <p>The president has immediate and direct control of the military to protect and defend the nation. The framers of the Constitution wanted to make sure that a ranking military official didn't seize the government, so they named the president commander in chief.</p>	<p>As the <u>chief diplomat</u>, the president negotiates treaties with foreign governments, receives ambassadors, and appoints diplomats. Treaties must be approved by two-thirds of the Senate.</p> <p>In this role, the president is also the primary author of foreign policy and the person who consults with leaders of foreign countries.</p>
Appointment Power	Legislative Power
<p>The president is the head of government.</p> <p>The role of chief executive includes <u>enforcing</u> and carrying out all federal laws, <u>appointing</u> nominees to the Supreme Court, and <u>implementing</u> policy. The president also appoints Cabinet secretaries. The Senate confirms all these nominees.</p>	<p>As chief legislator, the president is the principal author of the nation's public <u>policies</u> and <u>recommends</u> legislation to Congress.</p> <p>The president also has the power to <u>veto</u> legislation.</p>

PRESIDENTIAL ORDINANCE POWERS

This is the power to run the executive branch and to issue executive orders. These are rules, regulations, or directives that have the effect of law. Executive orders are not legislation and require no approval from Congress. Only the president can overturn an existing order. A federal court can block an executive order if it is unconstitutional.

PRESIDENTIAL PARDON POWERS

The Constitution gives the president extensive powers to grant a:

reprieve: **the postponement of the carrying out of a criminal sentence**

pardon: **the legal forgiveness of a crime, removing punishments and restoring rights**

commutation: **the power to reduce a fine or the length of a sentence imposed by a court**

Presidential Terms, Succession, and Elections

PRESIDENTIAL TERMS OF OFFICE

When the Constitution was written, president with a **limited** term was a very progressive idea, but the founders didn't want to place too much **power** in the hands of **one** person and agreed that **four** years would be sufficient time for a president to gain **experience** and establish **policies**.

PRESIDENTIAL TERM LIMITS

The Constitution originally did not **limit** the number of terms a president could serve. Franklin Delano Roosevelt was elected president **four** times. After his death, the **legislative** branch argued that **term** limits were needed to place a **check** on executive power. The **Twenty-Second** Amendment limits an elected president to **two** terms in office, a total of eight years.

PRESIDENTIAL SUCCESSION AND THE TWENTY-FIFTH AMENDMENT

The Constitution did not spell out how a vice president would take over as president if the president **died**, **resigned**, or could no longer perform presidential duties. After President John F. Kennedy died in 1963, Congress pushed for a change to clarify how **succession** would happen in the future. The **Twenty-Fifth** Amendment

provides the procedures for replacing the president or vice president. If something were to happen to the president and vice president at the same time, the **Speaker** of the House becomes president and the president pro tempore of the Senate becomes vice president.

PRESIDENTIAL ELECTIONS

How often?	every four years
When?	the first Tuesday in November
How?	Citizens choose electors to represent them in the Electoral College. Electors are people that parties choose to represent them in the Electoral College. Members of the Electoral College cast the actual votes for president and vice president.

The Executive Branch

The executive branch includes:



- the president
- vice president
- the **Cabinet**
- executive **departments**
- independent **agencies**
- boards, **commissions**, and committees

There are **15** executive departments, which are each headed up by an **appointed** member of the president's **Cabinet** and carry out the administration of the **federal** government.

THE CABINET

The Cabinet is the president's trusted advisory department even though the term *cabinet* is not referenced in the Constitution. While it began as just four people, over time the cabinet has grown to include:

Member	Created	Details
Secretary of State	original	the president's main advisor on <u>foreign</u> policy issues
		negotiates <u>treaties</u>
Secretary of the Treasury	original	responsible for the administration's economic and financial policies
Secretary of War/ Secretary of Defense	original	originally created to supervise all military functions and national defense
		advises the president on <u>defense</u> policies
Attorney General	original	originally provided legal advice to the president
		<u>heads</u> the Department of Justice, <u>represents</u> the government on legal matters, and <u>prosecutes</u> cases that involve the government.
Secretary of the Interior	1849	protects and manages the nation's natural resources and cultural heritage
		established as the United States continued to expand west
Secretary of Agriculture	1862	leads food, agriculture, natural resources, rural development
		established as the United States continued to expand west

Member	Created	Details	
Secretary of Commerce and Labor/ Secretary of Commerce	1903	promotes trade and economic stability	
		Frances Perkins was the first woman appointed to a presidential Cabinet.	
Secretary of Labor	1913	split off from Commerce and Labor	
		focuses only on labor	
Secretary of Health, Education, and Welfare (HEW)/ Secretary of Health and Human Services	1953	protects the health of all Americans and provides essential human services including Medicare and Medicaid programs	
Secretary of Education	1979	promotes educational excellence	
		The department rose out of the post-World War II era, after the Soviets launched Sputnik.	
Secretary of Housing and Urban Development (HUD)	1965	works on national housing needs to make sure that affordable housing is accessible to people of all income levels	
Secretary of Transportation	1966	ensures safe, coordinated, and efficient transportation throughout the United States	

Member	Created	Details
Secretary of Energy	1977	addresses energy challenges using scientific solutions
		the department united energy and defense programs related to the development of the atomic bomb .
Secretary of Veterans Affairs	1988	administers benefits and programs for veterans to make sure that people who served in the military of the United States are taken care of once they've returned home
Secretary of Homeland Security	2002	develops a national strategy to protect against and respond to terrorist acts
		oversees agencies such as the US Customs and Border Patrol, the US Coast Guard, and the Transportation Security Administration

AGENCIES AND COMMISSIONS

There are **hundreds** of federal **agencies** and commissions with various responsibilities within the executive branch. They usually fall under one of the **15** executive **departments**.

Presidents may establish **temporary** commissions to **study** a particular issue, **investigate** a situation, or **advise** on a social problem. For example, President Lyndon B. Johnson established a commission to investigate the **assassination** of President Kennedy.

Examples of permanent agencies and commissions: **the Environmental Protection Agency, the Social Security Administration, and the Securities and Exchange Commission**

EXECUTIVE BRANCH INTERACTIONS

The Constitution balances power between the legislative, executive, and judicial branches using the system of checks and balances.



The Executive Branch

- has the power either to sign legislation into law or to veto bills, but Congress may override a veto with a two-thirds vote
- has the power to negotiate and sign treaties, but the legislative branch must approve the treaties
- can nominate federal judges, Cabinet members, and other positions but the legislative branch must approve the nominations
- can issue executive orders, but the judicial branch can declare them unconstitutional and overturn them
- can grant pardons without interference from the judicial branch