The Executive Branch

“The executive power shall be vested in a President of the United States of America. He shall hold his Office during the term of four years, and, together with the Vice President, chosen for the same term, be elected” Article II, Section 1

Demonstrate knowledge of the executive branch of government.

a. Cite the formal qualifications listed in the Constitution for President of the United States.
b. Describe informal qualifications common to past presidents.

Qualifications of the President:

**Constitutional Requirements to be President**

1. Natural born Citizen
2. 35 years old
3. Resident of the U.S. for at least 14 years

*The Vice President’s qualifications are the same as the President with the exception that he/she cannot have their primary residence in the same state as the President.*

**Informal (unwritten) Qualifications to be President**

1. College Educated
2. Military Experience
3. Prior government experience
   **Most have been white, male, protestants with families**

**Term of Office:** Four Years

**Inauguration:** January 20th

(20th Amendment moved from March to January to prevent a “lame duck” from taking office)

Benefits of the President:

1. **Salary:** $400,000
2. **Perks:**
   1. White House w/staff of 100+
   2. Doctors and Health Care
   3. Expense Account of $50,000
   4. Air Force One and a fleet of jets and helicopters
   5. Camp David – vacation spot in Maryland
   6. Pension, Retirement, and Secret Service for 10 years after office

*It began with a traditional Two Term Limit with Washington, but it was really unlimited until the 22nd Amendment, which gave two rules.*

1. No one can be elected as President more than twice.
2. No one that serves more than two years of another President’s term can be elected more that once.*
**Vice Presidential Roles:**

1. **President in Waiting**
2. Acting **President of the Senate** and can vote in order to break a tie.
3. Power over **presidential disability** as stated in the **25th Amendment**.
4. Chairs Commissions, meets foreign dignitaries, and advises the President.
5. All other responsibilities come from the President.

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**25th Amendment:** Procedures dealing with Presidential Disability

1. **Vice President** becomes President if the President resigns, is removed or dies.
2. If there is a vacancy in the Vice Presidency, then the President **appoints** a new V.P. and both houses of Congress must approve him.
3. The Vice President becomes acting President if the President is unable to serve temporarily.
4. The President becomes acting President as soon as he declares himself fit, unless the Vice President, a majority of the Cabinet and 2/3rds of the Congress declare him still unfit. Then the Vice President will remain the acting President until it is determined that the President is fit.

*The salary of the Vice President is currently $230,700*

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**Line of Succession:**

1. Vice President
2. **Speaker of the House**
3. **President Pro Tempore**
4. **Secretary of State**
5. **Secretary of Treasury**
6. **Secretary of Defense**
7. **Attorney General**

*Following World War II, a new Presidential Succession Act of 1947 was passed, which placed the Speaker of the House and the president pro tempore of the Senate behind the vice president. The line of succession then extended to the executive department heads in the order in which their agencies were created.*
Roles of the President
Distinguish between the roles of the President, including Commander in Chief of the Armed Forces, chief executive, chief agenda setter, chief of state, chief diplomat, and party leader.

Chief Executive - The President runs and administers the government. He has the power to call out arms, grant reprieves and pardons, negotiate treaties, appoint judges, and enforce the law of the land.

Chief of State / Head of State - The President is the symbolic leader of the country. He entertains foreign leaders, speaks at functions and represents the nation at home and abroad.

Commander in Chief - The President heads up all of the Armed Forces.

Chief Legislator / Agenda Setter - The President officially recommends legislation on behalf of the citizens and the Federal Government.

Chief of the Economy - The President guards the economy in order to prevent depressions and helps to keep a balanced budget.

Chief Diplomat / Foreign Policy - The President heads up all foreign policy and relations with other countries.

Chief of the Party / Party Leader - The President is seen as the leader of his political party.
**Presidential Powers**
The student will demonstrate knowledge of the organization and powers of the national government.

**Executive Powers**

1. **Commander in Chief**

   - **War Powers Act** – President cannot send troops out unless:
     1. Congress declares War
     2. A law authorizes the action
     3. National Emergency: but the President must follow 2 rules:
        a. Notify Congress within 48 hours
        b. Cannot keep troops abroad for more than 60 days without Congressional approval.

2. **Enforces Laws**

3. **Executive Agreement** – agreements Presidents make on behalf of the U.S. with foreign countries that do not require Senate approval.

4. **Treaty** – agreements Presidents make on behalf of the U.S. with foreign countries that do require Senate approval.

5. **Power of Appointment** – appoints federal officials along with judges and Supreme Court justices.

6. **Power of Removal** – can remove federal officials but not judges or justices.

7. **Executive Privilege** – the right to withhold information from Congress and the courts

**Legislative Powers**

1. **Recommend Legislation** –
   - 3 formal messages: State of the Union Address, Economic Report, and Budget Message

2. **Approve Legislation** – signs bill into law

3. **The Veto Power** – forbid legislation

4. **The Pocket Veto** – to sit on the bill for ten days without signing it and it is a law. However, if Congress adjourns within ten days then it cannot be overridden.

5. **To call Special Sessions of Congress**

**Judicial Powers**

1. **Appoint Judges and Justices to the Supreme Court**

2. **Reprieves** – delay carrying out of punishments in federal crimes

3. **Pardons** – release from punishment in federal crimes by absolute or conditional

4. **Amnesty** – blanket pardon given to groups of people (federal crimes)
Executive Branch and United States Foreign Policy

Describe the tools used to carry out United States foreign policy, including diplomacy and treaties; economic, military, and humanitarian aid; and sanctions and military intervention.

**Diplomacy** – the President negotiating peaceful resolutions to conflicts between two or more countries.

**Humanitarian Aid** – helping countries in dealing with poverty, disease prevention, and disaster relief in order to build good relationships.

**Economic** – policies to encourage favorable trade and discourage unfavorable political policies through economic controls, tariffs (taxes), and embargoes (blocking trade).

**Military Intervention** – using the military to enforce specific policies and sanctions against a country when other diplomatic measures have not worked.

**Treaties** – agreements made with or forced on a country at the end of a conflict that includes sanctions to prevent future conflicts.

**Sanctions** – conditions that are placed on one country by another in order to maintain peace after a conflict.

**Impeachment:**

Explain the impeachment and removal process and its use for federal officials as defined in the U.S. Constitution.

1. Presidents can be removed for "high crimes and misdemeanors"
2. House Judiciary Committee investigates to determine if there has been an offense (A majority vote is needed in committee to send charges to House)
3. Simple majority in full house impeaches the official
4. Senate holds trial to determine whether to remove official from office
5. Chief Justice of Supreme Court presides and a 2/3 vote of the Senate is needed

- **Andrew Johnson** – May 1868
  - Violating Tenure of Office Act (putting in new Secretary of War)
  - Saved by a single vote in the Senate, remained in office

- **Bill Clinton** – December 1998
  - Perjury - Votes 55 to 45
  - Obstruction of Justice 50-50
  - Acquitted and remained in office