The Executive Branch

How the president carries out laws, works with a team, and faces limits. These six chapters follow your six-page executive branch notes packet.

1. The office and succession

Imagine Congress has passed a law creating a national program. Someone must organize the program, assign staff, and apply its rules. Article II creates the executive branch, led by the president. Its core job is to execute, or carry out and enforce, federal laws. The president serves a four-year term.

The constitutional qualifications are at least 35 years of age, natural-born citizenship, and at least fourteen years of U.S. residency. Natural-born citizenship generally concerns citizenship at birth; it does not simply mean that every eligible person must have been born inside the country. A college degree, military experience, wealth, religion, and gender are not constitutional requirements.

The vice president is president of the Senate and may break a tied Senate vote. The vice president becomes president when a president dies, resigns, or is removed. During temporary presidential inability, the vice president may act as president under the 25th Amendment. Becoming president permanently and acting temporarily are different situations.

After the president, the succession sequence begins with the vice president, Speaker of the House, Senate president pro tempore, and Secretary of State. Further Cabinet officers follow under the succession law. Eligibility and statutory conditions matter; simply holding a listed office does not eliminate those conditions.

Presidential support includes security, staff, official transportation, and a residence. These support the office; they are not governing powers. Air Force One is the call sign for an Air Force aircraft carrying the president, and Marine One is the corresponding Marine Corps call sign. A plane or motorcade helps the president travel but does not grant authority to make laws.

See it in context: A vice president casts a vote in a tied Senate decision. That is the Senate role. Taking over after a president resigns is the succession role.

Keep this distinction: Article II → execute laws. Qualifications are legal requirements; experience and perks are different categories.

2. The president’s team and amendments

The executive branch is much larger than the president. Departments, agencies, civilian employees, and the military carry out national responsibilities. The Cabinet consists of department heads and other senior advisers. They bring expertise and manage major responsibilities. The Executive Office of the President, or EOP, provides advice, coordination, and policy support.

The chief of staff coordinates White House staff, access to the president, and priorities. The press secretary communicates for the president and works with news media. The National Security Council coordinates advice on national security and foreign affairs. The Council of Economic Advisers supplies economic research and analysis. The Office of Management and Budget, or OMB, helps prepare the president’s budget proposals and reviews agency management.

George Washington established precedents: examples later presidents could follow. These included using a Cabinet, pursuing neutrality in foreign conflicts, and leaving office after two terms. His two-term practice began as a precedent; the 22nd Amendment later imposed an election limit.

Amendments changed how the office works. The 12th requires separate Electoral College ballots for president and vice president. The 20th sets the start and end of presidential and vice-presidential terms at noon on January 20. The 22nd normally permits two election wins. If someone serves more than two years of another president’s term, that person may be elected only once afterward. The 23rd gives Washington, D.C., electoral votes, currently three. The 25th addresses succession, presidential inability, and a vacancy in the vice presidency.

Under the 25th Amendment, a vice-presidential vacancy is filled by a presidential nomination confirmed by a majority of both chambers. That differs from the usual Senate-only confirmation process for many other major appointments.

See it in context: The president wants a larger education program. OMB helps prepare the proposal; Congress decides whether to enact the needed laws and funding.

Keep this distinction: Advisers supply information and coordination. Departments and agencies carry out programs. Congress and courts still provide checks.

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3. Powers, appointments, and clemency

Use PAN to remember three actions: the president proposes, appoints, and negotiates. The president proposes laws and a budget, appoints officials, and negotiates with other nations. Each action has limits. Proposing legislation does not enact it. Many major appointments require Senate consent, and a treaty needs Senate consent before ratification.

The president nominates many major officials, ambassadors, and Article III federal judges. The Senate considers whether to confirm them. Not every job in the executive branch requires Senate confirmation. Ambassadors represent the United States abroad; Cabinet secretaries lead executive departments; federal judges serve in the judicial branch even though the president nominates them.

Clemency is mercy concerning an offense or punishment. A pardon provides forgiveness for a federal offense; it does not automatically erase the record or establish innocence. Amnesty is clemency for a group or category of people. A reprieve temporarily delays carrying out a punishment. A commutation reduces a punishment while leaving the conviction in place.

The president's clemency power covers offenses against the United States, generally federal offenses rather than state convictions. The Constitution excepts impeachment. A pardon cannot cancel impeachment or reverse removal from office. A president's ability to pardon themself is legally disputed; do not treat it as a settled power. Constitutional authority and whether a particular use is ethical are separate questions.

Term	What changes?
Pardon	Forgiveness for a federal offense
Amnesty	Relief for a group or category
Reprieve	Timing of punishment
Commutation	Severity or length of punishment

See it in context: A federal prison sentence changes from twenty years to ten years. That is a commutation, not a reprieve.

Keep this distinction: Ask what changed: forgiveness, the group covered, the timing, or the amount of punishment.

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4. Presidential roles in action

A president performs several roles. These labels help describe actions; they are not nine separate people or nine unlimited powers. One action can fit more than one role. Use evidence from the action or photograph to explain your choice.

As chief executive, the president carries out federal laws. As chief administrator, the president manages the executive branch and appoints key leaders. As commander in chief, the president directs the armed forces, while Congress has the power to declare war. As chief diplomat, the president manages foreign relations and negotiates with other nations.

As chief legislator, the president recommends laws, sets priorities, and persuades Congress. This title does not let the president enact a congressional law alone. As economic leader, the president proposes a budget and economic policies while sharing authority with Congress and other institutions.

As chief of state, the president represents the nation at ceremonies and official events. As chief of the party, the president supports the party's platform and candidates. As a voice of the people, the president communicates with the public and responds to concerns. Representing the public does not mean every citizen agrees with the president. In the photo examples below, identify the action before naming a role. A Cabinet meeting, a State of the Union address, and a press conference show different work by different presidents.

Nine roles, nine real moments

These photographs show how different presidents performed the roles. Identify the action before naming a role.



Chief executive

Trump signs an executive order, April 26, 2017. Photo: Shealah Craighead / White House.



Chief administrator

Biden meets with his Cabinet, October 2, 2023. Photo: Adam Schultz / White House.



Commander in chief

George W. Bush meets Defense Department leaders, September 12, 2001. Photo: Helene C. Stikkel / DoD.



Chief diplomat

Carter meets Egyptian President Anwar Sadat at Camp David, September 6, 1978. Photo: National Archives.



Chief legislator

Johnson delivers the State of the Union, January 4, 1965. Photo: Architect of the Capitol.



Chief economic leader

Ford meets advisers and bankers about New York City's financial crisis, September 23, 1975. Photo: National Archives.



Chief of state

Reagan presents Mother Teresa with the Medal of Freedom, June 20, 1985. Photo: National Archives.



Chief of the party

Obama speaks at the 2016 Democratic National Convention. Photo: Voice of America.



Voice of the people

George H. W. Bush answers press questions about the Gulf War, February 5, 1991. Photo: Bush Presidential Library.

See it in context: A president welcomes a foreign leader to a state dinner. Chief diplomat fits the international relationship; chief of state fits the ceremony. Explain the visible clue supporting your answer.

Keep this distinction: Use the frame: “The action fits ___ because the president is ___.” A label needs evidence.

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5. Checks, executive orders, and war powers

The president checks Congress through the veto. Congress can override a regular veto with two-thirds in each chamber, with a quorum present. In treaty-making, the president negotiates and the Senate considers consent. Treaty consent requires two-thirds of senators present. Both examples show shared authority rather than one branch acting alone.

An executive order is a presidential directive managing executive operations. It must rest on constitutional authority or authority granted by statute. It is different from a law enacted by Congress. Courts can reject unlawful executive action. Congress can change applicable law or restrict funding within its own constitutional powers. An order cannot make the president’s authority unlimited.

In 1948, President Truman issued Executive Order 9981, establishing equality of treatment and opportunity in the armed forces and advancing military desegregation. Be precise about other examples: Congress created the Department of Homeland Security by law in 2002. A 2001 executive order had created an earlier White House office. These were different institutions and actions.

War powers are shared. The president directs military operations as commander in chief. Congress declares war, authorizes force, and controls military funding. The War Powers Resolution requires reporting within forty-eight hours for covered introductions of armed forces. Its termination rule generally requires ending covered hostilities within sixty days after the relevant report is submitted or required, unless Congress authorizes or extends the action or a statutory exception applies.

An additional withdrawal period of up to thirty days has conditions involving certified, unavoidable military necessity for troop safety during prompt removal. The law is not an automatic permission slip to wage war for ninety days. The reporting and termination rules have specific triggers and exceptions.

> **See it in context:** Congress has not authorized covered hostilities. Identify the reporting requirement and the termination rule separately; do not add sixty and thirty and assume all deployments are automatically allowed for ninety days.

> **Keep this distinction:** Commander in chief directs the military. Congress’s war and funding powers remain part of the system.

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6. Accountability and tariffs

Executive privilege protects some confidential executive communications. It is qualified rather than absolute. In United States v. Nixon in 1974, a generalized claim of confidentiality did not outweigh the demonstrated need for evidence in a criminal trial. The Supreme Court required production of the requested recordings for judicial review and use under the Court's ruling. Being president did not create an unlimited power to withhold evidence.

Impeachment and removal are separate steps. The House brings formal charges by majority vote. The Senate conducts the trial; conviction requires two-thirds of senators present and results in removal. Nixon resigned before the full House voted on impeachment. The House Judiciary Committee had approved articles, but a committee vote was not a full House impeachment vote.

A tariff is a tax on imports. The importer of record owes the duty to U.S. Customs and Border Protection, or CBP. A foreign government does not automatically pay the tariff. Businesses, consumers, and foreign suppliers may share the economic burden through changes in costs, prices, and profits.

A ten-percent tariff on a ten-dollar import produces one dollar in import duty. That arithmetic does not prove that the final retail price must rise by exactly one dollar. A seller might absorb some costs, change suppliers, or change prices in other ways.

Possible tariff goals include raising revenue, protecting domestic producers, or supporting negotiations. Possible tradeoffs include higher costs, retaliation, and supply-chain disruption. Congress has constitutional authority over duties and foreign commerce; presidential tariff action depends on applicable authority and legal limits. When using the dated tariff graphics in your class slides, record the date and distinguish observed data, estimates, and forecasts. A forecast is not a verified outcome or a current tariff schedule.

> **See it in context:** A U.S. company imports a ten-dollar item subject to a ten-percent tariff. The importer owes one dollar in duty. Whether a shopper pays more later is a separate economic question.

> **Keep this distinction:** For accountability, identify the branch and the check. For tariffs, separate who legally pays the duty from who bears the economic cost.

Sources and class connections

Use the official references below to check the exact rules. Photo source links appear beside each image in the online reading.

U.S. Constitution · Articles I and II

Constitutional amendments

Presidential succession · 3 U.S.C. 19

Department of Justice · clemency

National Archives · executive orders

War Powers Resolution · congressional action

National Archives · Watergate and the Constitution

CBP · importing into the United States