**The Executive Branch: The President**

**and Vice President**

**[Adapted and expanded from**

**“The Executive Branch” at Whitehouse.gov][[1]](#footnote-1)**

The power of the executive branch is vested in the President of the United States (POTUS), who also acts as head of state and Commander-in-Chief of the armed forces.

The President’s primary responsibility is implementing and enforcing the laws written by

Congress—“he shall take care that the laws be faithfully executed,” in the words of Article II. To that end, he appoints the heads of the federal agencies, including the Cabinet. The Vice President is also part of the executive branch, ready to assume the presidency should the need arise.

The Cabinet and independent federal agencies are responsible for the day-to-day enforcement and administration of federal laws. These departments and agencies have missions and responsibilities as widely divergent as those of the Department of Defense and the Environmental Protection Agency, the Social Security Administration and the Securities and Exchange Commission.

Including members of the armed forces, the executive branch employs more than 4 million Americans.

**The President**

The President is both the head of state and head of government of the United States of America, and Commander-in-Chief of the armed forces.

Under Article II of the Constitution, the President is responsible for the execution and enforcement of the laws created by Congress. Fifteen executive departments — each led by an appointed member of the President’s Cabinet — carry out the day-to-day administration of the federal government. They are joined in this by other executive agencies such as the CIA and Environmental Protection Agency, the heads of which are not formally part of the Cabinet, but who are under the full authority of the President and some of which are given “cabinet level” rank.

The President also appoints the heads of more than 50 independent federal commissions, such as the Federal Reserve Board or the Securities and Exchange Commission, as well as federal judges, ambassadors, and other federal offices. The Executive Office of the President (EOP) consists of the immediate staff to the President, along with entities such as the Office of Management and Budget and the Office of the United States Trade Representative.

The President has the power either to sign legislation into law or to veto bills enacted by Congress, although Congress may override a veto with a two-thirds vote of both houses. The executive branch conducts diplomacy with other nations, and the President has the power to negotiate and sign treaties, which also must be ratified by two-thirds of the Senate. The President can issue executive orders, which direct executive officers or clarify and further existing laws. The President also has unlimited power to extend pardons and clemencies for federal crimes, except in cases of impeachment.

With these powers come several responsibilities, among them a constitutional requirement to “from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient.” Although the President may fulfill this requirement in any way he or she chooses, Presidents have traditionally given a State of the Union address to a joint session of Congress each January (except in inaugural years) outlining their agenda for the coming year.

The Constitution lists only three qualifications for the Presidency — the President must be 35 years of age, be a natural born citizen, and must have lived in the United States for at least 14 years. And though millions of Americans vote in a presidential election every four years, the President is not, in fact, directly elected by the people. Instead, on the first Tuesday in November of every fourth year, the people elect the members of the Electoral College. Each state receives a number of electoral votes that equals the number of their federal representatives and senators combined (with the District of Columbia also receiving 3 electoral votes). These Electors then cast the votes for President.

By tradition, the President and the First Family live in the White House in Washington, D.C., also the location of the President’s Oval Office and the offices of his senior staff.

**The Vice President**

The primary responsibility of the Vice President of the United States is to be ready at a moment’s notice to assume the Presidency if the President is unable to perform his duties. This can be because of the President’s death, resignation, or temporary incapacitation, or if the Vice President and a majority of the Cabinet judge that the President is no longer able to discharge the duties of the presidency.

The Vice President is elected along with the President by the Electoral College. The Vice President serves as the President of the United States Senate, where he or she casts the deciding vote in the case of a tie. Except in the case of tie-breaking votes, the Vice President rarely actually presides over the Senate. Instead, the Senate selects one of their own members, usually junior members of the majority party, to preside over the Senate each day.

The Vice President has an office in the West Wing of the White House, as well as in the nearby Eisenhower Executive Office Building.

1. https://www.whitehouse.gov/about-the-white-house/the-executive-branch/ [↑](#footnote-ref-1)