

Civics & Social Studies

Packet 3

The Executive Branch

By Lance Waring (updated March 2022)

Note: This packet was assembled from freely available information for purely educational purposes. It is ***not*** intended to yield a financial profit of any kind for any individual or institution.

Name	Date
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1. THE PRESIDENT OF THE UNITED STATES



Figure 1. The Seal of the President of the United States of America

“The executive Power [of the Federal government] shall be vested in a President of the United States of America” (U.S. Constitution, Art 2, Sect. 1; 1787).

The word “executive” is another form of the word “execute,” which means “to do.” So, just as the legislative branch *writes* the laws of our nation, we can say the executive branch executes, or “*does*,” those laws.

For example, Congress has written laws requiring U.S. citizens to pay federal income taxes. The executive branch *executes* this law through the Internal Revenue Service (IRS). Like all executive agencies of the federal government, the IRS operates under the authority of the President of the United States. This is what the Constitution means when it says, “the executive power shall be *vested* in the President.” In fact, the President is in charge of all executive agencies of the federal government.

The President of the United States has two roles. ***First, the President is the “head of government.” Secondly, the President is also the “head of state” for our country.*** As head of government, the President is the top boss for all agencies of the federal government (but only within the executive branch¹). On the other hand, as head of state,

¹ The President has no authority over any part of the legislative or judicial branches of our government. This is at the heart of the separation of powers between the three branches.

the President is the highest symbolic and ceremonial leader of our country. This means the President is the “face of America” to the world.

In many other countries, these two roles are performed by different people. For example, the Queen of England is the British head of state, but the nation’s Prime Minister is the head of the British government. Thus, the soldiers of the British Army work for the Prime Minister; but when they retire, they get a letter of gratitude signed by her majesty, the Queen.

Unlike a king or queen, the President of the United States is an elected official. ***We, the people of this nation, vote for someone to serve as President once every four years in November.*** The winner of this election serves as President for a ***four-year term of office***². Generally, ***any U.S. citizen 18 years of age or older*** can participate in our Presidential elections.

The current President is Joseph R. Biden Jr. He assumed office on January 20, 2021 and will continue to serve as President until noon on January 20, 2025. He may or may not seek reelection in 2024 to serve a second and final term of office. The 22nd Amendment to the Constitution, ratified in 1951, forbids anyone from holding the office of President of the United States for more than two full four-year terms.

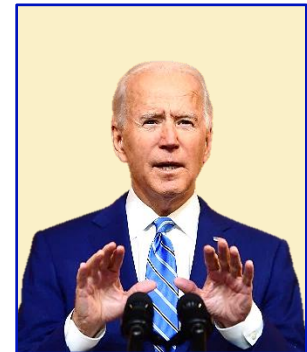


Figure 2. Joe Biden, the current President of the United States

Joe Biden is the oldest person to ever be elected President of the United States. He was 78 years old on the day of his inauguration in 2021. (The second oldest person to be elected to the office was Biden’s predecessor, Donald Trump, who was 70 years old on the day of his inauguration in 2017.) Joe Biden will be nearly 82 years old on election day in 2024.

² Throughout our history, not everyone who was elected as President made it through their full term of office. Of the 45 individuals to be elected to the position, eight U.S. Presidents died in office and one (Richard Nixon) resigned before the end of his term.

> REVIEW QUESTIONS

1. Who is in charge of the entire executive branch of the U.S. government?
2. What are the two roles of the President of the United States?
3. In what month do the citizens of the U.S. vote to choose the next U.S. President?
4. How long is a single term of office for the President of the United States?
5. How old do citizens have to be to vote for President?
6. Who is the current President of the United States?
7. How many four-year terms can any one person serve as the U.S. President?

2. AMERICA'S TWO MAJOR POLITICAL PARTIES

“A political party is a group of people who come together to contest elections and hold power in the government. The party agrees on some proposed policies and programs, with a view to promoting the collective good or furthering the interests of their supporters.”

(Wikipedia, 2016).

There are many political parties active in the United States today. Nonetheless, ***two parties have come to completely dominate American politics. These are the Democratic Party and the Republican Party.*** Since the mid-nineteenth century, all Presidents—in fact, nearly all elected officials in America—have been active members of one of these two parties. Of the four Presidents we have had throughout the twenty-first century so far, two (George W. Bush and Donald Trump) have been Republicans while the other two (Barack Obama and Joe Biden) have been Democrats.



Figure 3. The donkey is the symbolic mascot of the Democratic Party

The Democratic Party is the older and larger of the two major parties. The first U.S. President from the party was Andrew Jackson, who was elected in 1828. For over 100 years, the mascot and symbol of the party has been the donkey. The color blue has also come to be strongly associated with Democrats, although this is a much more recent development.

Since the mid-twentieth century, Democrats have generally emphasized the expansion of civil liberties and the maintenance of a robust social safety net. They are considered the “left-wing” party, at least in comparison to the rival Republican Party, although what this precisely means is not always completely clear.

The Republican Party is often referred to as the G.O.P., which stands for the “Grand Old Party.” It has also been around for a very long time. The first U.S. President from the party was Abraham Lincoln, who was elected in 1860. The mascot and symbol of the party has long been the elephant. Since at least the beginning of the twenty-first century, the party has also come to be strongly associated with the color red.

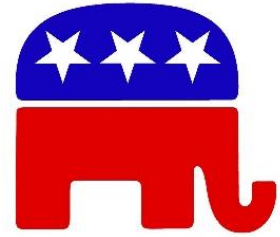


Figure 4. The elephant is the symbolic mascot of the Republican Party

Modern Republicans have generally emphasized limiting the government, relying on the free market, and maintaining traditional values. They are considered the “right-wing” party, at least in comparison to the rival Democratic Party, although not everyone agrees on exactly what this means.

Even before the creation of the modern Republican and Democratic Parties, American politics had been based on a two-party system practically from the beginning. Originally, it was a rivalry between the Federalist Party (1789-1835) and what we now call the Democratic-Republican Party (1792-1834). When both of these political parties were dissolved in the early nineteenth century, a new rivalry soon emerged between the Whig Party (1833-1856) and the Democratic Party (1828-present). The Whigs were dissolved prior to the Civil War, but the Republican Party (1854-present) was formed and has served as the principal rival to the Democrats ever since. Thus, specific parties come and go in this country, but it seems that America always returns immediately to a two-party system.

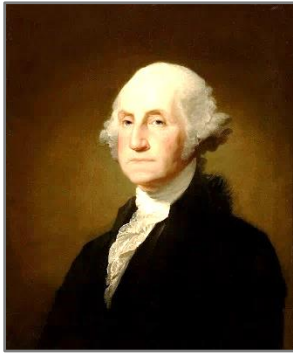


Figure 5. Washington was the only U.S. President ever elected without the backing of a political party.

Yet, it does not have to be that way. Nothing in the U.S. Constitution or in the overall American legal system requires the formation of political parties. George Washington, the first President of the United States, never became a member of any political party. He even went so far as to specifically warn politicians against ever getting involved in them. He believed political parties would naturally lead to unhealthy divisions within the nation (GeorgeWashington.org, 2015).

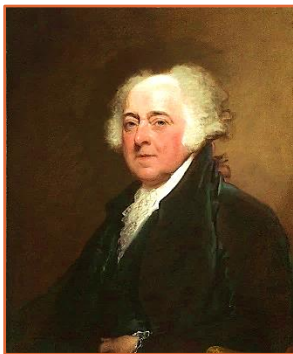


Figure 6. John Adams is the only member of the Federalist Party to ever be elected as U.S. President.

But Washington's successors did not follow his advice. The second President, John Adams, won the election of 1796 as a member of the Federalist party. The third President, Thomas Jefferson, defeated Adams in the election of 1800 as a member of the Democratic-Republican Party. In fact, to this day, George Washington remains the only President in our history who never became a member of any political party³.

> REVIEW QUESTIONS

8. What are the two major political parties in the United States?
9. Which party does the current U.S. President (Joe Biden) belong to?
10. Which party is considered more "left-wing" and which is more "right-wing"?
11. Who was the *first* President of the United States?
12. What political party did the first President of the United States belong to?

³ Of the 45 people who have held the office of President, there have been 19 Republicans, 16 Democrats, 4 Whigs, 4 Democratic-Republicans, and 1 Federalist.

3. AMERICA'S THIRD PARTIES

While there is no requirement for an elected official to belong to any political party, it is very difficult to compete in a modern national election without the support of one. This can be a dilemma for politicians who want to run for office without associating themselves with either of the two main parties. Since it is so difficult to run for office as an independent (that is to say, without the support of any external organization), some politicians choose to turn to one of the many alternative parties active in our nation. These are usually called “third parties” because they are rivals to the two big parties.

There are literally dozens of these parties active in America today, but ***the biggest third party by far is the Libertarian Party***, which has nearly 700,000 members. The Green Party is the next largest with about 250,000 members. Taken together, over a million Americans belong to one of the nation’s many third parties.

That is a lot of people, yet it is still insignificant in comparison to the membership of the two major parties. As of 2021, the Republican Party claimed over 36 million members while the even larger Democratic Party claimed well over 48 million. In total, that is nearly 85 million Americans who are formally registered with one or the other of the two major parties. (All figures in this section are based on data obtained from Wikipedia, 2021.)

Under these conditions, the third parties are, at best, a very minor force in modern American politics. Certainly, if you find a third party that represents your own values well, you should seriously consider joining it. However, it is also important to be realistic about the chances such third parties have of actually winning any elections in the current American political landscape.

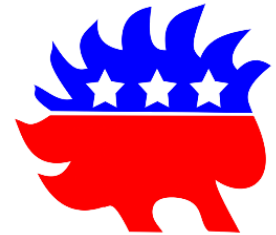


Figure 7. The porcupine is the symbolic mascot of the Libertarian Party.

For United States President	
Vote for ONE	
<input type="radio"/> Presidential Electors for Joseph R. Biden Jr. for President and Kamala D. Harris for Vice President	Democrat
<input type="radio"/> Presidential Electors for Donald J. Trump for President and Michael R. Pence for Vice President	Republican
<input type="radio"/> Presidential Electors for Don Blankenship for President and William Mohr for Vice President	American Constitution
<input type="radio"/> Presidential Electors for Brian Carroll for President and Amar Patel for Vice President	American Solidarity
<input type="radio"/> Presidential Electors for Phil Collins for President and Bill Parker for Vice President	Independent
<input type="radio"/> Presidential Electors for Howie Hawkins for President and Angela Nicole Walker for Vice President	Green
<input type="radio"/> Presidential Electors for Jo Jorgensen for President and Jeremy 'Spike' Cohen for Vice President	Libertarian
<input type="radio"/> Presidential Electors for Brock Pierce for President and Karla Ballard for Vice President	Independent
<input type="radio"/> Presidential Electors for Kanye West for President and Michelle Tidball for Vice President	Independent
<input type="radio"/> Write-in	

Figure 8. The segment of a sample ballot from the 2020 election above shows options for several third party and independent Presidential candidates along with the Democrat and Republican choices.

On the other hand, that landscape is always changing. After all, it has been done before. For example, in 1998, Jesse Ventura ran for the office of Governor of Minnesota as a Reform Party⁴ candidate. He defeated both the Republican and Democratic candidates and served a full term as Governor from 1999 to 2003.

Still, recent Presidential election results give third parties less cause for hope. In 2020, Republican Donald Trump got over 74 million votes, which was a lot but not enough to beat the 81 million votes Democrat Joe Biden received. In contrast, third place Libertarian Jo Jorgensen got less

than 2 million votes while fourth place Green Party candidate Howie Hawkins did not even manage to get half a million votes (uselectionatlas.org, 2021).

> REVIEW QUESTIONS

13. What are the names of at least two *third parties* active in America today?
14. What are the chances of a third-party candidate becoming the next President?
15. If third parties seldom win elections, why does anyone ever join them?

4. THE ELECTORAL COLLEGE

Unlike all other elected officials in our country, the President and Vice President of the United States are elected in a unique process. Rather than being elected directly by popular vote, these two positions are chosen by designated electors through a process known as the ***Electoral College***.

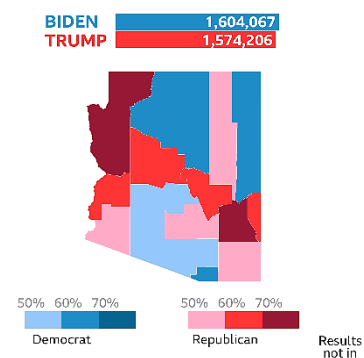
⁴ The Reform Party was founded in 1995 by a billionaire named Ross Perot. Although it initially was a powerhouse in third party politics, as of 2021, membership in the organization has declined to under 7,000 total members.

Many Americans dislike the Electoral College, yet this system is specified in the U.S. Constitution and has been used in every Presidential election throughout our history. The biggest complaint seems to be that it is not entirely democratic. There is a lot of truth to this objection, but that is because ***the Electoral College was intentionally designed to act as a compromise between a nationwide popular vote by our citizens and a limited representational vote in Congress.*** In other words, while it was intended to be democratic process, it was not intended to be a *purely* democratic process.

In the Electoral College system, each state gets as many electors as it has members serving in both chambers of the U.S. Congress. Since there are a total of 435 Representatives plus 100 Senators serving in the U.S. Congress, there are 535 electors apportioned among all fifty states. Arizona, for example, gets 11 electors because it has 9 Representatives plus 2 Senators. In addition, Washington, D.C. gets three electors, even though it has no Representatives or Senators of its own. Therefore, ***there are 538 electors in all***⁵. Since half of this number is 269, the first candidate to receive at least 270 Electoral College votes wins the election.

The exact method for choosing electors varies from state to state; but, in general, each state's political parties choose their own roster of potential electors. Thus, the Arizona Democratic Party will have 11 electors standing by while the Arizona Republican Party will designate another 11 electors of their own. If the Democratic Presidential candidate wins the statewide popular vote, as he did in

Arizona: Results as they stand



Source: NEP/Edison via Reuters, 08:30 GMT (03:30 EST)

BBC

Figure 9. In 2020, the Democratic candidate received about 30,000 more votes in Arizona than the Republican candidate. Because of this very slim lead, all 11 of the state's Electoral College votes were cast for the Democratic candidate (Joe Biden).

⁵ None of the U.S. territories, such as Puerto Rico, have any representation whatsoever in the Electoral College process. This is another objection some people have to the system.

2020, then the Democratic electors will participate in the Electoral College process while the Republican electors are dismissed. On the other hand, if the Republican candidate wins, then the 11 Republican electors will participate and the Democratic electors will be dismissed.

This is why the election is often portrayed as a US map with states turning either blue (for the Democratic candidate) or red (for the Republican candidate). Once a candidate wins a given state, then he or she gathers *all* the Electoral College votes of that state⁶.

Ordinarily, a projected Presidential winner is announced no later than the day after the popular vote is concluded (in early November). However, the Electoral College vote that takes place several weeks later (in mid-December) is the process that actually elects the President and Vice President of the United States.

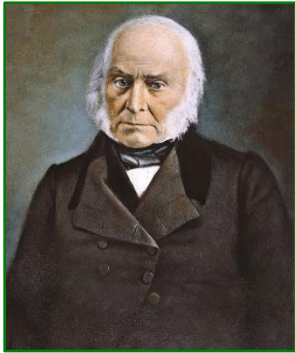


Figure 10. John Quincy Adams was the first person to lose the popular vote but win the Electoral College vote to become President of the United States.

Because the Electoral College is a process that does not rely solely on the popular vote, it is entirely possible to win the Presidency even if a candidate gets fewer total votes than his or her competitor. So far, this has happened five times in U.S. history. These events alarm some people, yet we should also remember that the winner of the popular vote has actually won the Presidency in the Electoral College in about 90% of all U.S.

Presidential elections. The remaining 10% still bother many, yet creating that possibility was, for better or worse, the whole idea of the Electoral College in the first place.

⁶ Maine and Nebraska are the only two jurisdictions within the Electoral College that assign their electors proportionally. In these states, if the Democrat gets 30% of the statewide vote and the Republican gets the other 70%, then 30% of the state's Democratic electors and 70% of the state's Republican electors will go on to participate in the Electoral College.

> REVIEW QUESTIONS

16. What is the system that actually determines who will serve as U.S. President?
17. How many electors are there in the entire Electoral College?
18. How many electoral college votes does Arizona get, and why?
19. How many Electoral College votes does a nominee need to get in order to win?
20. Why do some Americans want to abolish the Electoral College system?

5. THE ARMED FORCES OF THE UNITED STATES

In addition to being the head of state and head of government, the President of the United States is also the Commander-in-Chief of all U.S. Armed Forces. Since 2002, by order of then Secretary of Defense Donald Rumsfeld, *the title of "Commander-in-Chief" is reserved exclusively for the President of the United States* within America's military community.

The U.S. Armed Forces consist primarily of the U.S. Army, the U.S. Marine Corps, the U.S. Navy, the U.S. Air Force, and the newly formed U.S. Space Force. Each of these services operate within one of three service departments under the enormous U.S. Department of Defense⁷ (DoD).

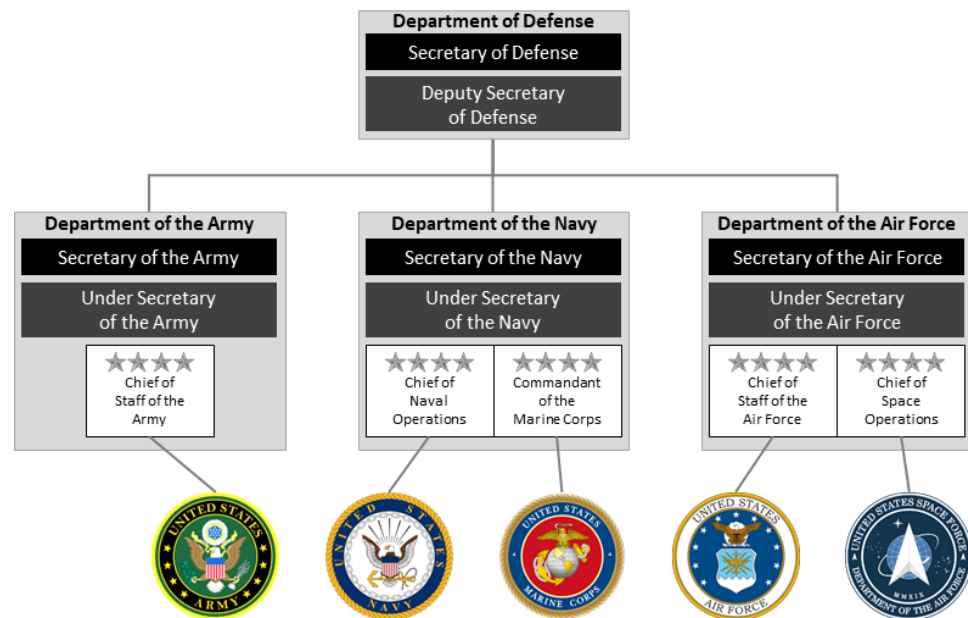


Figure 11. Organizational chart of the U.S. Department of Defense and its three service departments.

⁷ The Department of Defense is the only department of the federal government to contain its own departments, each of which is led by its own departmental Secretary.



Figure 12. The current Secretary of Defense is Lloyd Austin. He is a retired 4-star Army General.

Ordinarily, ***oversight of the Department of Defense is delegated to the Secretary of Defense***, who is nominated to the position by the President⁸. The Secretary of Defense works *for* the President, but he or she is directly in charge of all the generals, admirals, and other military officers in the various branches of the U.S. Armed Forces. Civilian control over the military is a key principle of the U.S. system of government.

The ***U.S. Coast Guard*** is the sixth branch of the U.S. Armed Forces. It is not part of the Department of Defense but operates instead under the Department of Homeland Security. Nonetheless, the Coast Guard routinely works cooperatively with the DoD. In time of war, the President can transfer Coast Guard assets (both equipment and personnel) to the U.S. Navy. “In fact, this has been done in almost every single conflict in which the United States have been involved” (Military.com, 2022).

> REVIEW QUESTIONS

21. Who is the Commander-in-Chief of the U.S. Armed Forces?
22. Who ordinarily oversees the Dept. of Defense on behalf of the President?
23. What is a key principle of the U.S. system of government regarding the military?
24. Name at least two branches of the U.S. Armed Forces. (There are six of them.)

6. THE CABINET

Although the executive power of the federal government is entrusted personally to the President, no one individual can possibly do it alone. Therefore, each President has a group of advisors known collectively as “the Cabinet” to assist with this vast responsibility.

⁸ Once an individual is nominated to become the Secretary of Defense, he or she must be confirmed by the U.S. Senate before officially taking the position. In this process, the Senate has the power to reject the President’s nominee, but this has only happened rarely throughout our history.

The main duty of the Cabinet is to advise the President. This body consists primarily of the Cabinet-level Secretaries who each direct a specific executive department. The ***Secretary of Defense***, described in the previous section, is one example of a Cabinet-level position. Other examples include the ***Secretary of State***, the ***Secretary of the Treasury***, and the ***Secretary of Homeland Security***. The ***Attorney General***, who oversees the Department of Justice, is also a Cabinet-level position⁹. In total, there are fifteen separate department Secretaries in the current Presidential Cabinet.

In addition, the Vice President of the United States is also a member of the President's Cabinet. Indeed, she or he is senior to all the departmental Secretaries mentioned above.

The Cabinet represents the leadership of the largest and most important executive departments of the federal government, but it does not represent all agencies of the federal government. There are also many other agencies such as the U.S. Postal Service, the National Aeronautics and Space Administration, the Environmental Protection Agency, the Central Intelligence Agency, the Federal Trade Commission, and many, many others that are not directly represented in the Cabinet. These are generally called "independent agencies" even though they also work for the President of the United States.



Figure 13. President Joe Biden and Vice President Kamala Harris take a group photo with the Cabinet members on Tuesday, July 20, 2021, on the South Portico of the White House. (Official White House Photo by Adam Schultz)

⁹ The Attorney General is the only Cabinet-level position that does not have the word "Secretary" in his or her title. Nonetheless, it is the fifth highest position in the Cabinet.

> REVIEW QUESTIONS

25. What is the main duty of the President's Cabinet?
 26. Name at least two cabinet level positions in the federal government.

7. THE LINE OF SUCCESSION

Since the President is entrusted with the executive power of the federal government and the nation always needs to execute the law of the land, it is important to always have a President in office. For this reason, there is a line of succession to replace the President if that person should die, resign, become incapacitated, or be removed from office before the conclusion of his or her term.



Figure 14. Kamala Harris is the current Vice President of the United States.

In general, the Vice-President will become President if the sitting President needs to be replaced. “The Vice President is also part of the Executive Branch, ready to assume the Presidency should the need arise” (whitehouse.gov, 2016). So far in the history of our nation, nine Vice Presidents have had to replace a sitting President. The current Vice-President of the United States is Kamala Harris.

Of course, it is easy to imagine an attack or natural disaster occurring someplace where the President and Vice President are both present. If, for this or any other reason, ***both the President and Vice President are no longer able to serve, the Speaker of the U.S. House of Representatives would become the President.*** The current Speaker of the House is Representative Nancy Pelosi. She is second (after Vice President Harris) in the line of succession¹⁰.

The line of succession continues beyond the Speaker of the House. The President Pro Tempore of the Senate is third in the line of succession to become President of the United States should the sitting President,

¹⁰ Although this provision has been in place since 1792, so far, no Speaker of the House has ever had to assume the office of President of the United States.

Vice President, and Speaker of the House all become unable to discharge these duties. The current President Pro Tempore of the Senate is Patrick Leahy¹¹.

Unfortunately, in our modern technological age, the idea that all four of these officials might be eliminated in a single massive attack is a real possibility. Therefore, the line of succession continues much further through each of the members of the President's Cabinet in rank order. The first cabinet member in line would be the Secretary of State, who is fourth in the overall line of succession. If he or she is also unavailable to assume the duties of President, the responsibility would fall on the Secretary of the Treasury, followed by the Secretary of Defense, and then by the Attorney General. Eighth on the list is the Secretary of the Interior, and so it continues through the entire cabinet.



Figure 15. Secretary of State Antony Blinken is the first Cabinet member in the Presidential line of succession.

Anyone in the line of succession who was not born in the United States or is otherwise ineligible for the position of President is exempt from consideration even in time of crisis. In the Biden Administration, Secretary of Energy Granholm, who was born in Canada, and Secretary of Homeland Security Mayorkas, who was born in Cuba, are both exempt. However, this still leaves sixteen individuals in the line ready to step up if called upon to do so.

> REVIEW QUESTIONS

27. If the President can no longer serve, who becomes President?
28. Who is the current Vice President of the United States?
29. If both the President and the V.P. can no longer serve, who becomes President?
30. Who is the current Speaker of the House of Representatives?

¹¹ Senator Leahy has announced he will retire at the end of his current term, which ends in late 2022.

8. THE LEGACY OF THE PRESIDENCY

With the enormous staff of the Executive Branch, some people might think the President is just the manager of a very, very large and complex team. This is true in a way; yet the President is special in another way that no Cabinet Secretary ever can be. As the Ultimate Guide to the Presidents put it:

“It is the office of the President that most embodies the hopes and aspirations of the American people. It’s a position invested with great power that is defined by challenges and crises, by the burden of the past and visions of the future, and by the personalities of the [45] men who have become President.” (History Channel, 2013)

As mentioned earlier in this packet, the President is not just our functional head of government but also serves as our symbolic head of state. As such, he or she is the face of our nation.

This is why most (but not quite all) U.S. currency



currently in production features the likeness of one of our Presidents. George Washington appears on quarters and also on the \$1 bill. Thomas Jefferson’s image is found on both the nickel and the \$2 bill. Abraham Lincoln is depicted on the penny and the \$5 bill. Franklin D. Roosevelt is pictured on the dime while John F. Kennedy’s face is engraved on the half-dollar coin. Andrew Jackson’s image is on the \$20 bill¹², and Ulysses S. Grant is pictured on the \$50 bill. The few exceptions include the \$10 bill, which depicts the image of Treasury Secretary Alexander Hamilton; and the \$100 bill, which bears a picture of early American philosopher, inventor, and statesman Benjamin Franklin.

¹² There has been a plan for several years to remove Jackson’s image from the \$20 bill and replace it with a picture of Harriet Tubman. Although the plan has been delayed, it is still the official intention of the Department of the Treasury to make this switch.

> REVIEW QUESTIONS

31. Who are some of the former U.S. Presidents who are pictured on U.S. currency?
32. Who is a person depicted on U.S. currency who never served as President?

9. THE STATE EXECUTIVE BRANCH

Just as the President is entrusted with the executive power of the federal government, the governor of each state is entrusted with the executive power of the state government. For example, the Governor of Arizona is in charge of the executive branch of the government of Arizona. The current Arizona Governor is Doug Ducey, who has served in this capacity since 2015.



Figure 16. Doug Ducey is the current Governor of Arizona. As such, he is the chief executive of the state's government.

Just as the President ordinarily serves out of the Oval Office in Washington D.C., Governors usually work out of their offices in their state's capital city. Every state has a capital city. The capital of Arizona is Phoenix, which is also the largest city in the state¹³.

Most states have a Lieutenant Governor who stands ready to take over the Governor's job if he or she becomes unavailable. However, Arizona does not have a Lieutenant Governor. Instead, if we lose our Governor, the Arizona Secretary of State (not to be confused with the U.S. Secretary of State) will assume the Governor's position as the head of the state's executive branch.

> REVIEW QUESTIONS

33. Who is in charge of the executive branch of the government of Arizona?
34. Who is the current Governor of Arizona?
35. What is the capital city of the state of Arizona?
36. Who will take over if the Arizona Governor becomes permanently incapacitated?

¹³ The capital city of a given state is not always, or even usually, the largest city in that state. For example, the largest city in California is Los Angeles, but the state's capital is Sacramento.