

Checks and Balances

QUICK
FACTS

Executive Branch (President)

Checks on:

Legislative Branch

- May adjourn Congress in certain situations
- May veto bills

Judicial Branch

- Appoints judges

Legislative Branch (Congress)

Checks on:

Executive Branch

- May reject appointments
- May reject treaties
- May withhold funding for presidential initiatives
- May impeach president
- May override a veto

Judicial Branch

- May propose constitutional amendments to overrule judicial decisions
- May impeach Supreme Court justices

Judicial Branch (Supreme Court)

Checks on:

Executive Branch

- May declare executive actions unconstitutional

Legislative Branch

- May declare laws unconstitutional

Executive Branch

Article II of the Constitution lists the powers of the executive branch. This branch enforces the laws passed by Congress.

President and Vice President

As head of the executive branch, the president is the most powerful elected leader in the United States. To qualify for the presidency or vice presidency, one must be a native-born U.S. citizen at least 35 years old. The president must also have been a U.S. resident for 14 years.

Americans elect a president and vice president every four years. Franklin D. Roosevelt, who won four times, was the only president to serve more than two terms. Now, the Twenty-second Amendment limits presidents to two terms. If a president dies, resigns, or is removed from office, the vice president becomes president for the rest of the term.

The House of Representatives can **impeach**, or vote to bring charges of serious crimes against, a president. Impeachment cases are tried in the Senate. If a president is found guilty, Congress can remove him from office. In 1868 Andrew Johnson was the first president to be impeached. President Bill Clinton was impeached in 1998. However, the Senate found each man not guilty.

Working with Congress

The president and Congress are often on different sides of an issue. However, they must still work together.

Congress passes laws. The president, however, can ask Congress to pass or reject bills. The president also can **veto**, or cancel, laws Congress has passed. Congress can try to override, or undo, the veto. However, this is difficult since it takes a two-thirds

majority vote. To carry out laws affecting the Constitution, treaties, and statutes, the president issues **executive orders**. These commands have the power of law. The president also may grant **pardons**, or freedom from punishment, to persons convicted of federal crimes or facing criminal charges.

The president also commands the armed forces. In emergencies, the president can call on U.S. troops. Only Congress, however, can declare war. Other executive duties include conducting foreign relations and creating treaties. Executive departments do most of the executive branch work. As of 2004 there were 15 such departments. The president chooses department heads, who are called secretaries, and the Senate approves them. The heads make up the cabinet, which advises the president.

READING CHECK Drawing Conclusions

What is the president's most important power?