

Name \_\_\_\_\_

Date \_\_\_\_\_

# The Executive Branch - Answer Key

Use the text to answer each question below.

1. **\*\*Excerpt from the Constitution: Article II, Section 1\*\*** 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, as follows: Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector. The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President.

What process does this excerpt from the Constitution describe?

A. The election of the president by popular vote



**B.**

The election of the president by the electoral college

*The text describes how the president will be elected by “a Number of Electors” who are responsible for “sign[ing] and certify[ing], and transmit[ting]” their votes “to the President of the Senate.”*

C. The resignation of a president

D. The impeachment of a president

2. \*\*Excerpt from the Constitution: Article II, Section 2\*\* The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment. He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments. The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

With which of the following statements would the framers of the Constitution most likely have agreed?

- A. The president may only appoint federal ambassadors when the Senate is in recess.
- B. The president does not have authority over the armed forces of the United States.
- C. The president's power must be kept in check by other government officials.
- D. The president's word is final; whatever he or she decrees becomes law.

*According to the passage, the president may only make treaties, nominate public officials, and appoint judges "with the Advice and Consent of the Senate," in some cases "provided two thirds of the Senators present concur." The framers wrote these safeguards into the Constitution to prevent the president from having absolute power.*

3. \*\*Excerpt from the Constitution: Article II, Sections 3 and 4\*\* He shall 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; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Which of these does the president NOT have?

- A. The ability to convene and adjourn sessions of Congress
- B. The responsibility to keep Congress informed on state matters
- C. The privilege of receiving foreign ambassadors



D.

Immunity from criminal conviction

*The passage states, "The President...shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors," meaning he or she does not have immunity from criminal conviction.*