

Judicial Powers

- Grants reprieves and pardons for Federal crimes (except impeachment).
- Appoints Federal judges, with the agreement of the majority of the Senate.

The President's Lawmaking Role

The President plays a large role in making America's laws. His job is to approve the laws that Congress creates. When both chambers have approved a bill, they send it to the President. If he agrees with the law, he signs it and the law goes into effect.

If the President does not like a bill, he can veto it. There are two ways that he can veto a bill. First, the President can send the bill back to Congress unsigned. In most cases, he will also send a list of reasons he does not like the bill. Second, the President can "pocket" the bill. After ten days, one of two things happens: 1) if Congress is in session, the bill becomes a law anyway 2) if Congress has adjourned, the bill does not become law and the President has used a "pocket veto".

When the President vetoes a bill, it will most likely never become a law. Congress can override a veto, but to do so two-thirds of both the House of Representatives and the Senate must vote against the President.

Despite all of his power, the President cannot write bills. He can propose a bill, but a member of Congress must submit it for him.

Presidential Qualifications and Term Limit

Because he has so much responsibility, the President, along with the Vice-President, is the only official elected by the entire country. Not just anyone can be President, though. In order to be elected, one must be at least 35 years old. Also, each candidate must be a natural-born U.S. citizen and have lived in the U.S. for at least 14 years. When elected, the President serves a term of four years. The most one President can serve is two terms, for a total of eight years.

Before 1951, the President could serve for as many terms as he wanted. After two terms as President, George Washington chose not to run again. All other Presidents followed his example until Franklin D. Roosevelt successfully ran for office four times. He, however, did not complete his fourth term of office because he died in 1945. Six years later, Congress passed the 22nd Amendment, which limits Presidents to two terms.

The President's Cabinet

The purpose of the Cabinet is to advise the President on matters relating to the duties of their respective offices. As the President's closest and most trusted advisors, members of the Cabinet attend weekly meetings with the President. The Constitution does not directly mention a "Cabinet," but the Constitutional authority for a Cabinet is found in Article II, Section 2. The Constitution states that the President "may require the opinion, in writing of the principle officer in each of the executive departments, upon any subject relating to the duties of their respective offices." The Constitution does not say which or how many executive departments should be created.

Who makes up the Cabinet?

The Cabinet traditionally includes the Vice President and the heads of 15 executive departments-the Secretaries of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Homeland Security, Housing and Urban Development, Interior, Labor, State, Transportation, Treasury, and Veterans Affairs, and the Attorney General. Cabinet-level rank has also been given to the Administrator of the Environmental Protection Agency; the Director of the Office of Management and Budget; the Director of the National Drug Control Policy; the Assistant to the President for Homeland Security; and the U.S. Trade Representative.

When requested by the President, other officials are asked to attend these weekly meetings including, the President's Chief of Staff, the Director of the Central Intelligence Agency, the Chairman of the Council of Economic Advisors, the Counselor to the President, the Director of the Federal Emergency Management Agency, the Administrator of the Small Business Administration, and the U.S. Representative to the United Nations.

How does one become a member of the Cabinet?

The 15 Secretaries from the executive departments are appointed by the President, and they must be confirmed by a majority vote (51 votes) of the Senate. They cannot be a member of Congress or hold any other elected office. Cabinet appointments are for the duration of the administration, but the President may dismiss any member at any time, without approval of the Senate. In addition, they are expected to resign when a new President takes office.

The following is a list of the current heads of the 15 executive department agencies, their department, when that department was created, and a brief description of the department from the United States Government Manual. The list is organized by order of succession..

Secretary of State

Department of State (1789): Handles foreign affairs and relationships with other nations. It makes recommendations on foreign policy, negotiates treaties, speaks for the United States in the United Nations, and represents the United States at international conferences.

Secretary of the Treasury

Department of the Treasury (1789): Formulates and recommends economic, financial, tax, and fiscal policies; serves as financial agent for the US Government; enforces the law; and manufactures coins and currency.

Secretary of Defense

Department of Defense (1947): Provides the military forces needed to deter war and to protect the security of the United States. The Army, Navy, Air Force, Marines, Coast Guard, National Guard, and Reserve Forces are part of this Department.

Attorney General

Department of Justice (1870): Enforces and defends the Federal laws of the United States by preventing and controlling crime, seeking just punishment for those guilty of unlawful behavior; and enforcing the Nation's immigration laws.

Secretary of the Interior

Department of the Interior (1849): Oversees national conservation efforts and is responsible for most of our nationally owned public lands, natural resources, and wildlife.

Secretary of Agriculture

Department of Agriculture (1862): Ensures a safe, affordable, nutritious, and accessible food supply; cares for agriculture, forest, and range lands; supports the development of rural communities; and provides economic development for farmers and rural residents.

Secretary of Commerce

Department of Commerce (1903): Promotes economic, business, and job opportunities for all Americans. It is responsible for all copyrights, patents, and trademarks. It also plays a major role in Federal government matters related to oceans, weather, and technology.

Secretary of Labor

Department of Labor (1913): Oversees the interests of US workers by protecting workers' wages, health and safety employment and pension rights; promoting equal employment opportunity; and administering job training, unemployment insurance, and workers' compensation programs.

Secretary of Health & Human Services

Department of Health and Human Services (1953): Protects the health of all Americans and provides essential human services. The duties of the Department include conducting medical research, preventing the outbreak of diseases, assuring the safety of food and drugs; administering financial assistance for low income families; protecting against child and domestic abuse; and protecting against drug abuse.

Secretary of Housing & Development

Department of Housing and Urban Development (1965): Aims to create a decent, safe, and sanitary home and living environment for every American. It is responsible for home ownership programs, providing housing assistance for low income persons, helping the homeless, and promoting growth and development in distressed neighborhoods.

Secretary of Transportation

Department of Transportation (1966): Ensures a fast, safe, efficient, accessible and convenient transportation system. This includes transportation of people and goods by car, plane, train, and ship. It is also responsible for maintaining the Federal highway system.

Secretary of Energy

Department of Energy (1977): Researches and develops reliable energy systems that are friendly to the environment, but are not too expensive. It is also responsible for the Nation's nuclear energy and weapons technologies.

Secretary of Education

Department of Education (1979): Establishes guidelines and provides leadership to address American education. It helps local communities meet the needs of their students. It also helps individuals pay for college and prepare for employment.

Secretary of Veterans Affairs

Department of Veterans Affairs (1988): Acts as the principal advocate for veterans and their families ensuring that they receive medical care, benefits, social support, and lasting memorials recognizing their service.

Secretary of Homeland Security

Department of Homeland Security (2003): Works to prevent terrorist attacks within the United States, reduce America's vulnerability to terrorism, and minimize the damage from potential attacks and natural disasters.

Source: Ben's Guide to U.S. Government, U.S. Government Publishing Office (<https://bensguide.gpo.gov>).

US Department of Commerce

Export.gov Helps American Companies Succeed Globally

Export.gov helps U.S. companies plan, develop and execute international sales strategies necessary to succeed in today's global marketplace.

From market research and trade leads from the U.S. Department of Commerce's Commercial Service to export finance information from Export-Import Bank and the Small Business Administration to agricultural export assistance from USDA, Export.gov helps American exporters navigate the international sales process and avoid pitfalls such as non-payment and intellectual property misappropriation.

Export.gov was created to provide better customer service for businesses interacting with the Federal Government. The U.S. Department of Commerce's International Trade Administration manages Export.gov as a collaborative effort with the 19 Federal Agencies that offer export assistance programs and services.

Source: U.S. Department of Commerce (www.export.gov).

US Trade Representative

American trade policy works toward opening markets throughout the world to create new opportunities and higher living standards for families, farmers, manufacturers, workers, consumers, and businesses. The United States is party to numerous trade agreements with other countries, and is participating in negotiations for new trade agreements with a number of countries and regions of the world.

The Office of the U.S. Trade Representative (USTR) is responsible for developing and coordinating U.S. international trade, commodity, and direct investment policy, and overseeing negotiations with other countries. The head of USTR is the U.S. Trade Representative, a Cabinet member who serves as the president's principal trade advisor, negotiator, and spokesperson on trade issues.

USTR is part of the Executive Office of the President. Through an interagency structure, USTR coordinates trade policy, resolves disagreements, and frames issues for presidential decision. USTR also serves as vice chairman of the Board of Directors of the Overseas Private Investment Corporation (OPIC), is on the Board of Directors of the Millennium Challenge Corporation, is a non-voting member of the Export-Import Bank Board of Directors, and a member of the National Advisory Council on International Monetary and Financial Policies.

Our expertise

USTR provides trade policy leadership and negotiating expertise in its major areas of responsibility, including:

- Bilateral, regional and multilateral trade and investment issues
- Expansion of market access for American goods and services
- International commodity agreements
- Negotiations affecting U.S. import policies
- Oversight of the Generalized System of Preferences (GSP) and Section 301 complaints against foreign unfair trade practices, as well as Section 1377, Section 337 and import relief cases under Section 201
- Trade, commodity, and direct investment matters managed by international institutions such as the Organization for Economic Cooperation and Development (OECD) and the United Nations Conference on Trade and Development (UNCTAD)
- Trade-related intellectual property protection issues
- World Trade Organization (WTO) issues

Working with other agencies

USTR consults with other government agencies on trade policy matters through the Trade Policy Review Group (TPRG) and the Trade Policy Staff Committee (TPSC). These groups, administered and chaired by USTR and composed of 19 Federal agencies and offices, make up the sub-cabinet level mechanism for developing and coordinating U.S. Government positions on international trade and trade-related investment issues.

The TPSC is the primary operating group, with representation at the senior civil service level. Supporting the TPSC are more than 90 subcommittees responsible for specialized areas and several task forces that work on particular issues. If agreement is not reached in the TPSC, or if significant policy questions are being considered, then issues are taken up by the TPRG (Deputy USTR/Under Secretary level).

The final tier of the interagency trade policy mechanism is the National Economic Council (NEC), chaired by the president. The NEC Deputies' committee considers memoranda from the TPRG, as well as important or controversial trade-related issues.

Outside advisors

The U.S. Congress established the private sector advisory committee system in 1974 to ensure that U.S. trade policy and trade negotiation objectives adequately reflect U.S. commercial and economic interests. Congress expanded and enhanced the role of this system in subsequent trade acts, most recently the Trade Act of 2002.

The advisory committees provide information and advice with respect to U.S. negotiating objectives and bargaining positions before entering into trade agreements, on the operation of any trade agreement once entered into, and on other matters arising in connection with the development, implementation, and administration of U.S. trade policy.

The trade policy advisory committee system consists of 26 advisory committees, with a total membership of up approximately 700 advisors. Recommendations for candidates for committee membership are collected from a number of sources including Members of Congress, associations and organizations, publications, and other individuals who have demonstrated an interest or expertise in U.S. trade policy. Membership selection is based on qualifications, geography, and the needs of the specific committee. Members pay for their own travel and other related expenses, must obtain a security clearance.

Under the Trade Act of 2002, each advisory committee is required to prepare a report on proposed trade agreements for the Administration and Congress. These reports are made public on USTR's website.

The system is arranged in three tiers: the President's Advisory Committee for Trade Policy and Negotiations (ACTPN); four policy advisory committees; and 22 technical and sectoral advisory committees.

The President appoints up to 45 ACTPN members for two-year terms. The 1974 Trade Act requires that membership broadly represent key economic sectors affected by trade. The committee considers trade policy issues in the context of the overall national interest. USTR administers the ACTPN.

The policy advisory committees are appointed by the USTR alone or in conjunction with other Cabinet officers. USTR solely manages the Intergovernmental Policy Advisory Committee (IGPAC) and the Trade Advisory Committee on Africa (TACA). Those policy advisory committees managed jointly with the Departments of Agriculture, Labor, and the Environmental Protection Agency are, respectively, the Agricultural Policy Advisory Committee (APAC), Labor Advisory Committee (LAC), and Trade and Environment Policy Advisory Committee (TEPAC). Each committee provides advice based upon the perspective of its specific area.

The 22 sectoral, and technical advisory committees are organized in two areas: industry and agriculture. Representatives are appointed jointly by the USTR and the Secretaries of Commerce and Agriculture, respectively. Each sectoral or technical committee represents a specific sector or commodity group (such as textiles or dairy products) and provides specific technical advice concerning the effect that trade policy decisions may have on its sector.

Working with Congress

Since its creation, USTR has worked hand-in-hand with Congress, including through frequent consultations with Members and staff of the House Committee on Ways and Means, Senate Committee on Finance (the two Committees with principle responsibility for international trade issues), and by providing detailed briefings for other committees, Congressional leadership offices, caucuses, and individual Members of Congress. For example, USTR provides detailed briefings on a regular basis for Members and staff of the House and Senate Committees on Agriculture, Banking and Financial Services, and Judiciary. USTR has provided and will continue to provide briefings and information to all committees, caucuses, and Congressional offices that express an interest in trade issues.

In addition to this consultation and briefing process, five Members from each Chamber are formally appointed under statute as official Congressional advisors on trade policy, and additional Members may be appointed as advisors on particular issues or negotiations. In short, interaction between USTR and Congress is extensive. USTR officials and staff participate in hundreds of congressional conversations each year on subjects ranging from tariffs to transparency and insurance to investment.

Organizational Structure

USTR has offices in Washington, D.C. and in Geneva, Switzerland. The Washington, D.C. office of USTR is structured along five organizational lines:

Bilateral Negotiations:

- The Western Hemisphere
- Europe and the Middle East
- Central and South Asian Affairs
- Southeast Asia and the Pacific
- Japan, Korea, and APEC Affairs
- China Affairs
- African Affairs

Multilateral Negotiations:

- World Trade Organization and Multilateral Affairs
- Trade and Development

Public Outreach:

- Congressional Affairs
- Public and Media Affairs
- Intergovernmental Affairs and Public Liaison

Sectoral Activities:

- Agricultural Affairs
- Services and Investment
- Intellectual Property and Innovation
- Market Access and Industrial Competitiveness
- Textiles
- Environment and Natural Resources
- Labor

Analysis, Legal Affairs and Policy Coordination:

- General Counsel
- Monitoring and Enforcement
- Economic Affairs
- Policy Coordination and Information

USTR's Geneva Office is organized to cover general WTO affairs, Non-Tariff Agreements, Agricultural Policy, Commodity Policy and the Harmonized Code System. Special attention is given to textiles with one member of the staff designated as the U.S. representative to the Textiles Surveillance Body. The Geneva Deputy USTR is the U.S. Ambassador to the WTO and to the United Nations Conference on Trade and Development on commodity matters. The Geneva staff represents the United States' interests in negotiations, and in other contacts on trade and trade policy in both forums.

Source: Office of the U.S. Trade Representative (<https://ustr.gov/>).