



ARTICLE II — THE EXECUTIVE BRANCH

Let's begin by going right back to the Constitution's text.

The framers organized the national government into three branches, outlined in the first three articles of the Constitution.

[Article II](#) of the Constitution sets up the national government's executive branch, which is led by the president. The president must be at least 35 years old. This rule was meant to ensure that candidates have enough life experience and are not just elected because of their family name.

Many people think of the presidency as the most powerful job in the country. However, the Constitution actually gives the president fewer specific powers than it gives Congress in Article I. Article II gives the "executive power" to one president. It explains how the president is elected (using the Electoral College) and how a president can be removed from office (through impeachment and removal).

Later, the 25th Amendment to the Constitution would further outline the process to take place if a president resigns, becomes disabled, or dies while in office.

Presidential Powers	
Presidential veto	The president can veto legislation passed by Congress.
Being commander in chief of the military	The president can order military actions and decisions.
Nominating judges	The president can nominate judges to the Supreme Court, subject to the advice and consent of the Senate.
Entering into treaties	The president can enter into treaties with other countries, subject to approval by the Senate.

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Presidential Powers	
Granting pardons	The president can grant pardons to people responsible for “offenses against the United States.”
Enforcing laws	The president oversees different government agencies and can make executive orders to direct members of the executive branch.
Issuing regulations	The president can issue regulations designed to carry out the laws passed by Congress.

Presidential Limits	
Congressional override	Congress can still pass a law that has been vetoed by the president if two-thirds of the House and Senate vote to override the veto. This is rare.
Declaring war	Only Congress has the power to declare war against another country.
Spending	Congress controls what the government spends and must approve any presidential projects or programs.
Congressional approval	The U.S. Senate must approve judges the president nominates to the Supreme Court and must also agree to treaties with foreign nations negotiated by the president.
Term limits	The president can only serve for two four-year terms. This requirement is set out in the Twenty-Second Amendment.
Impeachment	The House of Representatives can impeach a president for breaking the law, and the Senate can remove the president if found guilty.

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Presidential Limits	
Judicial review	The Supreme Court can declare the president's actions unconstitutional.