Learning Objectives. Students will be able to:

- Identify the origin and purpose of the president’s cabinet
- Describe the process of becoming a member of the cabinet
- Identify the 16 cabinet positions and the general topics for which they are responsible
- Explain how politics can impact the success of presidential nominations for the cabinet
- Track nominations and confirmations of the new presidential administration

Time Needed: One to Two Class Periods

Materials Needed:
Student worksheets
Access to Internet for template research

Copy Instructions:
Reading (4 pages; class set)
Activity (2 pages; class set)
Tracking Template (2 pages; class set)

Step by Step

- **Anticipate** by challenging students to name at least three presidential cabinet positions.
- **Distribute** the reading pages to each student.
- **Read** through the sections on each page as a class. Address any questions or confusion as you work through the reading.
- **Distribute** the activity pages to each student.
- **Review** the instructions with the class and give the students a few minutes to complete.
- **Discuss** each of the activity sections using the Teacher Guide. Each activity acts as a great discussion starter.
- **Introduce** the template activity and explain each column.
  
  If you are teaching this lesson during an active nomination timeline, use this template to actively track the process, with the students being tasked with completing the rest of the template over the semester.
  
  If you are not in an active presidential transition, research the most recent cabinet process to complete this as a class.
- **Review** the completed (or partial) template and use it as an opportunity to discuss trends in qualifications, reception by Congress, the public, etc.

Media Literacy Moment

As the students track the nominations (concurrently or historically), direct them to select one cabinet nominee to follow more closely. Ask them to produce two positive news stories and two negative news stories about the nominee. Use these to discuss the reliability and sourcing of each story—starting a larger conversation about media platforms and bias.

Additional Resource: Digging Deeper into the Executive Branch

If you are looking for more detail about how the executive agencies work, check out our lesson plan A Very Big Branch! Our Executive Branch unit is filled with additional lessons and games, and can be found at www.icivics.org/teachers

© 2017 iCivics, Inc. You may copy, distribute, or transmit this work for noncommercial purposes only. This copyright notice or a legally valid equivalent such as "© 2017 iCivics Inc." shall be included in all such copies, distributions or transmittals. All other rights reserved. Find this lesson and more at www.icivics.org.
Constitutional Origins

When the Constitution was written, there was much debate on the nature of the president’s authority. Should that authority be exercised alone? Or should it be shared with some kind of official set of advisors? Traditionally, English kings and queens relied on a privy (private) council that became quite powerful in their own right. They would serve for the life of the monarch and could issue executive orders and exercise some judicial tasks. The line of who was in charge often blurred.

Some of the Founders wanted to turn their back on this system, while others saw merit in having the president consult with others. They agreed on a compromise, which is known as the Constitution’s Opinion Clause and refers to what we now call the president’s cabinet.

Washington’s First Advisors

Although George Washington was a famed war general and a political leader with a broad set of skills, even he needed advisors to focus on certain areas and inform his decisions as president. These first four advisors show Washington’s network of founding fathers and how he addressed the four main areas of expertise: foreign policy, finance, war, and law.

Secretary of State: Thomas Jefferson had negotiated commercial treaties with European powers in 1784, alongside Franklin and Adams. As the Minister to France (1785-1789), he negotiated treaties with Prussia and France before taking on the role of Secretary of State under Washington.

Secretary of the Treasury: Alexander Hamilton had been a merchant’s clerk as a young man, then Washington’s secretary during the Revolutionary War. After the war, he helped establish the Bank of New York in 1781.

Secretary of War: Henry Knox was a high-ranking military officer in the Continental Army during the war and served alongside Washington. He was elected the Secretary of War by Congress in 1785 (under the Articles of Confederation), and was again selected by Washington to serve in the new government in 1789.

Attorney General: Edmund Randolph was an aid to Washington during the war, held a degree in law, and served as the Attorney General of Virginia before being appointed to Washington’s advisory council.

A Cabinet is Born

When Washington took office, he decided to gather his advisors and meet as a group. James Madison (close friend of Washington) was the one to first call it the "president’s cabinet". This gathering set the precedent for every president to follow. Since that first full cabinet meeting in 1793, the cabinet has grown from four to sixteen members who oversee thousands of employees and work to both advise the president on their areas of focus and assist in executing laws related to their area.

The President...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...

Article II, Section 2, Clause 1
Cabinet Building

Getting on the Cabinet

So, how does one become a member of this exclusive executive club? There is a three-part process, and it is NOT for the faint of heart or for people with a lot of skeletons in their closets.

The Nomination: It all starts with a list that includes suggestions from the president’s office, members of Congress, special interest groups, and others. People on that list are vetted, or closely reviewed, by the White House Office of Presidential Personnel. The list shrinks little by little during this process until a nominee is selected. That name heads over to the Senate for more investigations by the FBI, IRS, Office of Government Ethics, and an ethics officer from the agency in question.

Senate Committee Hearings: We have a nominee. Now, it’s time to get them in front of a Senate committee that focuses on the issues related to the position for which the person has been nominated. For example, Senators who are on the Armed Services Committee would hold hearings on the Secretary of Defense. They look for any weaknesses in the nominee, including partisanship and historical statements on policy that might impact the nominee’s ability to carry out their job. The hearings are often televised and can be pretty intense. The committee can then vote the nominee up or down, or choose not to act at all.

Full Senate Hearings: If the nominee satisfies the committee, a hearing will be scheduled on the whole Senate floor. The nominee is introduced and considered by the senators. Debate can continue until 2/3 of the Senate agrees to stop and take a vote. A simple majority vote is needed to confirm the nominee. If that happens, the president is notified and the new Cabinet member can take their position.

Congress: Friend or Foe?

Does every nominee have the same chance of making it to the cabinet? The short answer is no—here’s why: Political nominations like these are... political. Let’s take a highly qualified and scandal-free nominee and see what happens when she is introduced in a supportive Senate and when she is introduced in an oppositional Senate.

If the president and the majority of the Senate are of the same party, we can expect a relatively easy process. She will be grilled on her experiences, fitness for service, and any past comments made that might reveal how she’d advise the president and run the department. The nominee will take some extra challenging questions (and even some showboating) from the opposition party members. In the end, a simple majority is needed to pass her out of hearings and into the cabinet position.

If the president and Senate are at political odds, the success rate is far less certain. Our nominee may find herself stuck with no vote coming out of the committee hearing phase, stopped by a filibuster in the full Senate, or she may not even be granted a hearing by the powers of the Senate leadership. If hearings do occur in full, they are likely to be more combative. She may still make it to the cabinet with a majority vote, but not without some level of drama.
Sometimes, There is a Recess... Appointment

Congress, specifically the Senate, plays a huge role in the appointment of the presidential cabinet. But there is a controversial (yet constitutional) workaround, and it’s called a recess appointment. These appointments occur when there is a vacancy during a period when the Senate is not in session. The appointee still must be approved by the Senate by the end of their next session.

Originally intended to address the real issue of vacancies by the Founding Fathers, this plan has become a way for presidents to bypass an oppositional Senate for the more controversial nominees. The thought is that the opposition to a problematic appointee will soften over time and that, when it is time to approve him or her, the chances for success are much improved.

This approach is not always successful for a number of reasons. The Senate can set up special “pro forma” sessions that keep any one full session from ending—keeping the president from being able to make a recess appointment. If the same party stays in control of the Senate from one session to another, it’s also likely to maintain (and even strengthen) its opposition to the recess appointee. So, it may be worth a shot if the president really wants a nominee but knows the odds are still against them.

Third Time’s a Charm?

The first high-profile cabinet rejection was Roger B. Taney, who was a recess appointment by president Andrew Jackson in 1834. When it came time for a vote, the Senate rejected him 28-18. Taney ended up as the Chief Justice of the Supreme Court after undergoing another failed nomination process. He’s best known for writing the majority decision in the 1857 case Dred Scott v. Sanford.

Why the Cabinet Matters

The American public usually only hears about the presidential cabinet early on when they are going through the nomination process or when some crisis brings a department into the news cycle. It’s important to remember that these cabinet members are not only the president’s trusted advisors, they are the heads of large and influential executive departments that can impact your day to day life. They oversee the execution of federal laws, like ensuring workplaces are safe (Occupational Safety and Health Act) and protecting the privacy of student education records (Family Educational Rights and Privacy Act).

Cabinet members also have a place in line for presidential succession. After the vice president and leadership of the House of Representatives and Senate, the cabinet steps up—starting with the oldest department first. Looking closely at the president’s cabinet selections can give insight into how he or she wants to lead the country, as well as what qualities they value.
### Cabinet Building

<table>
<thead>
<tr>
<th>Executive Department</th>
<th>Cabinet Position</th>
<th>Date of Creation and Focus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of State</td>
<td>Secretary of State</td>
<td>1789: Foreign policy, international relations</td>
</tr>
<tr>
<td>Department of the Treasury</td>
<td>Secretary of Treasury</td>
<td>1789: Collecting revenue (taxes), coining and printing money, economic policy</td>
</tr>
<tr>
<td>Department of Defense</td>
<td>Secretary of Defense</td>
<td>1789: renamed 1847: U.S. military, national defense</td>
</tr>
<tr>
<td>Department of Justice</td>
<td>Attorney General</td>
<td>1870*: Law enforcement, prevention and control of crime</td>
</tr>
<tr>
<td>Department of the Interior</td>
<td>Secretary of the Interior</td>
<td>1849: Protect nation’s natural and cultural resources, Native American tribal relations</td>
</tr>
<tr>
<td>Department of Agriculture</td>
<td>Secretary of Agriculture</td>
<td>1889: Policy relating to farming, food, food safety, hunger, natural resources</td>
</tr>
<tr>
<td>Department of Commerce</td>
<td>Secretary of Commerce</td>
<td>1903: Economic development and policy, technology</td>
</tr>
<tr>
<td>Department of Labor</td>
<td>Secretary of Labor</td>
<td>1913: Work safety, fair pay, unemployment insurance</td>
</tr>
<tr>
<td>Department of Health &amp; Human Services</td>
<td>Secretary of Health &amp; Human Services</td>
<td>1953: Health policy, human services, welfare services</td>
</tr>
<tr>
<td>Department of Housing &amp; Urban Development</td>
<td>Secretary of Housing &amp; Urban Development</td>
<td>1965: Increasing home ownership, community development, access to affordable housing</td>
</tr>
<tr>
<td>Department of Transportation</td>
<td>Secretary of Transportation</td>
<td>1966: Oversee America’s transportation system</td>
</tr>
<tr>
<td>Department of Energy</td>
<td>Secretary of Energy</td>
<td>1977: Addresses the nation’s energy, environmental, and nuclear challenges</td>
</tr>
<tr>
<td>Department of Education</td>
<td>Secretary of Education</td>
<td>1979: Education policy, student loans</td>
</tr>
<tr>
<td>Department of Veterans Affairs</td>
<td>Secretary of Veterans Affairs</td>
<td>1988: Provide services and support to those who have served in the U.S. military</td>
</tr>
</tbody>
</table>

*The Attorney General has been a position since 1789

**But Wait, There’s More!**

There is another set of people who are considered cabinet-level but not part of the official cabinet. These include the president’s Chief of Staff, Director of Office Management and Budget, Administrator of the Environmental Protection Agency (EPA), Trade Representative, Ambassador to the United Nations, Chairman of the Council of Economic Advisers, and the Administrator of the Small Business Administration. Most of these positions also must go through the same review process with the Senate.
A. On the President’s Authority. The lively debate around the nature and purpose of an executive advisory council (presidential cabinet) focused on the question of authority—or where the buck stops. Read the two positions and craft at least two reasons to support each. Place a star next to the most powerful reason and explain your choice in the area below.

<table>
<thead>
<tr>
<th>President Flies Solo</th>
<th>A Little Help Over Here?</th>
</tr>
</thead>
<tbody>
<tr>
<td>All decisions rest on the president and no advisory cabinet should be involved.</td>
<td>An advisory board, or cabinet, can help the president with decisions.</td>
</tr>
</tbody>
</table>

Which is your strongest support? Why?

B. Follow the Flow Check out these two flow charts that show the process of becoming a cabinet member. Each one has an important part missing. Identify that part, and state what might be at risk if it were skipped in the real process.

<table>
<thead>
<tr>
<th>Flow Chart 1</th>
<th>Flow Chart 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Make the List</td>
<td>Make the List</td>
</tr>
<tr>
<td>Get the Nomination</td>
<td>Vetting by the White House</td>
</tr>
<tr>
<td>FBI, IRS &amp; Ethics Vetting by Senate</td>
<td>FBI, IRS &amp; Ethics Vetting by Senate</td>
</tr>
<tr>
<td>Full Senate Debate and Vote</td>
<td>Full Senate Debate and Vote</td>
</tr>
<tr>
<td>Committee Hearings</td>
<td>Get Nominated</td>
</tr>
<tr>
<td>Congrats! You’ve been appointed!</td>
<td>Congrats! You’ve been appointed!</td>
</tr>
</tbody>
</table>

1. Which important step is missing?
2. What is at risk if this step is skipped?
1. Which important step is missing?
2. What is at risk if this step is skipped?
C. Nomination Drama. Nomination hearings bring a special brand of dramatics to Capitol Hill. Take on the role of Senator for these questions

1. You are a member of the same party as the president and support the nominee. What might convince you to withdraw your support from a nominee during the process?

2. You are a member of the opposition party and do NOT support the nominee. What might convince you to change your mind and support the nominee?

3. You are a member of the opposition party and do NOT support the president’s recess appointment. How will you respond to media inquiries about the appointment?

D. Cabinet Contents. Use the information from the list of departments to help with these questions.

1. Which century saw the most growth of the cabinet? How many departments were created?

2. Name a department that you think has the most impact on your day to day life? Why?

3. Select one cabinet position, then list at least two qualifications you think a nominee should have if appointed.

   Position:
   Qualification 1:
   Qualification 2:

E. It Matters to You! The presidential cabinet can impact you in three main ways. Select one discussed in the lesson and explain why it would be the most important form of impact to YOU. Your response should be 4-6 sentences in length.

<table>
<thead>
<tr>
<th>A–</th>
<th>Cabinet members run the departments that execute federal laws.</th>
</tr>
</thead>
<tbody>
<tr>
<td>B–</td>
<td>Members of the cabinet act as close advisors to the president and can influence executive action.</td>
</tr>
<tr>
<td>C–</td>
<td>The cabinet offices are a part of the presidential line of succession and could be called to act as president.</td>
</tr>
</tbody>
</table>
Tracking The New Cabinet

Now that you know the purpose and process of selecting a presidential cabinet, it’s time to find out who will be sitting at the next administration’s table. Use this template to track nominations and appointments, as well as any additional information about the nominee’s qualifications and missteps. The departments themselves may undergo change too.

<table>
<thead>
<tr>
<th>Cabinet</th>
<th>Nominee</th>
<th>Work Experience</th>
<th>Strengths (+) and Weaknesses (-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secretary of State</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary of Treasury</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary of Defense</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attorney General</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary of the Interior</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary of Agriculture</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary of Commerce</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cabinet Position</td>
<td>Nominee</td>
<td>Work Experience</td>
<td>Strengths (+) and Weaknesses (-)</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>---------</td>
<td>----------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Secretary of Labor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary of Health &amp; Human Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary of Housing &amp; Urban Development</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary of Transportation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary of Energy</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary of Education</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary of Veterans Affairs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary of Homeland Security</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
A. On the President’s Authority. The lively debate around the nature and purpose of an executive advisory council (presidential cabinet) focused on the question of authority—or where the buck stops. Read the two positions and craft at least two reasons to support each. Place a star next to the most powerful reason and explain your choice in the area below.

<table>
<thead>
<tr>
<th>President Flies Solo</th>
<th>A Little Help Over Here?</th>
</tr>
</thead>
<tbody>
<tr>
<td>All decisions rest on the president and no advisory cabinet should be involved.</td>
<td>An advisory board, or cabinet, can help the president with decisions.</td>
</tr>
</tbody>
</table>

**Answers will vary:**
- Only the *elected* president makes the big decisions
- The responsibility can’t be handed off to unelected officials
- Prevents corruption of the presidential office

**Answers will vary:**
- No one person can be an expert in all things
- Advisors can support the president with research and expertise
- Cabinet members can be held accountable if needed

Which is your strongest support? Why? Answers will vary. Check for support by student for their selection.

B. Follow the Flow Check out these two flow charts that show the process of becoming a cabinet member. Each one has an important part missing. Identify that part, and state what might be at risk if it were skipped in the real process.

**Flow Chart 1**
- Make the List
- Get the Nomination
- FBI, IRS & Ethics Vetting by Senate
- Committee Hearings
- Full Senate Debate and Vote
- Congrats! You’ve been appointed!

1. Which important step is missing? Vetting by the White House
2. What is at risk if this step is skipped? Suggested: If the White House does not check up on the nominee’s background early in the process, they may miss important information that would disqualify the individual and embarrass the president in the more public Senate settings.

**Flow Chart 2**
- Make the List
- Vetting by the White House
- FBI, IRS & Ethics Vetting by Senate
- Full Senate Debate and Vote
- Congrats! You’ve been appointed!

1. Which important step is missing? Committee Hearings
2. What is at risk if this step is skipped? Suggested: Without committee hearings, the Senate would lack information from those members whose job it is to focus on issues related to the position. They’d vote with less knowledge of the nominee.
Cabinet Building

C. Nomination Drama. Nomination hearings bring a special brand of dramatics to Capitol Hill. Take on the role of Senator for these questions:

1. You are a member of the same party as the president and support the nominee. What might convince you to withdraw your support from a nominee during the process?

   Answers will vary.

2. You are a member of the opposition party and do NOT support the nominee. What might convince you to change your mind and support the nominee?

   Answers will vary.

3. You are a member of the opposition party and do NOT support the president’s recess appointment. How will you respond to media inquiries about the appointment?

   Answers will vary.

D. Cabinet Contents. Use the information from the list of departments to help with these questions.

1. Which century saw the most growth of the cabinet? How many departments were created?
   The 1900s (20th Century) saw 8 departments added to the cabinet.

2. Name a department that you think has the most impact on your day to day life? Why?
   Answers will vary, but look for solid reasoning for each.

3. Select one cabinet position, then list at least two qualifications you think a nominee should have if appointed.
   Position:
   Qualification 1:
   Qualification 2:
   Answers will vary. Look for thoughtful qualification ideas.

E. It Matters to You! The presidential cabinet can impact you in three main ways. Select one discussed in the lesson and explain why it would be the most important form of impact to YOU. Your response should be 4-6 sentences in length.

   A– Cabinet members run the departments that execute federal laws.

   B– Members of the cabinet act as close advisors to the president and can influence executive action.

   C– The cabinet offices are a part of the presidential line of succession and could be called to act as president.

   Answers will vary.