

The Constitution of the United States of America

Article I—The Legislative Branch

Section 1—All legislative powers vested in a Bicameral Congress

1. Senate
2. House of Representatives

Section 2—The House of Representatives

1. Elections every 2 years—chosen directly by the people in their district.
2. Minimum 25 years old, 7 year citizen of US, must be an inhabitant of state when elected
3. **Representation is based on population—census every 10 years**
4. Each state gets at least one rep
5. When vacancies occur, the state Governor calls for special elections
6. House chooses Speaker other offices
7. House alone carries power of impeachment (simple majority only)

Section 3—The Senate

1. **Two senators from each state, each senator gets one vote**
2. Elections every 6 years, chosen by the state legislatures
 - a. Amendment 17—direct election of senators.
3. Must be 30 yrs old and 9 year citizen of US, and live in state you represent
4. VP of US is President of Senate—no vote unless to break a tie
5. President Pro Tempore presides in absence of VP
6. Senate tries all impeachments (must have a $\frac{2}{3}$ vote for conviction)

Section 4—The times places and manners of elections are decided by each state individually. Congress must assemble at least once every year.

Section 5—Proceedings

1. Each house shall have its own rules for debate
 - a. The House puts strict time limits to debate
 - b. The Senate allows debate to continue indefinitely
2. Each house must keep a journal and with a $\frac{1}{5}$ demand, report who votes which way
3. Each house can expel members with $\frac{2}{3}$ majority.

Section 6—Compensation for service

1. Each Congressman will be compensated
2. They are free from arrest while going to and from debate sessions

Section 7—Rules

1. All bills for revenue originate in the House
2. When bills pass both houses, they go to the President's desk
 - a. He signs it and it becomes law, or
 - b. He vetoes it and it goes back to the original house (with objections) for debate and revision. The Congress can at this time override his veto with a $\frac{2}{3}$ majority vote from both chambers.

- c. If the bill is not returned by the President in 10 days, it is automatically law (a way for the president to pass a law without signing it)

Section 8—Powers

1. To lay and collect taxes
 - a. To pay debts
 - b. To provide for the defense and welfare
2. to borrow money on the credit of the U.S.
3. To regulate commerce
 - a. Regulate roads and waterways
4. establish uniform rules for naturalization, and uniform laws on bankruptcy.
5. To coin money, regulate its value, and fix weights and measures.
6. Provide punishment for counterfeiting
7. establish post offices and roads
8. promote sciences and useful arts by copyright laws
9. constitute tribunals inferior to the Supreme Court
10. define and punish piracy
11. To declare war
12. To raise and support armies and navies
13. to exercise exclusive legislation of Washington DC.
14. To make all laws that are necessary and proper for the carrying out of all foregoing powers, and all other powers vested by this Constitution
 - a. This “necessary and proper clause” has allowed Congress to pass many laws without amending the Constitution

Section 9—Limitations on Congress

1. Limits to the slave trade after 1808 (20 year charter)
2. Writ of habeas corpus not suspended except in cases of rebellion, invasion, or public safety requirement
3. No preference given in commerce regulation from one state over another
4. No title of nobility, no gifts for federal officers.

Section 10—Limitations to the states

1. No state can enter treaty or alliance with another state or enter into war
2. States cannot coin money
3. No keeping troops in time of peace

Article 2—The Executive Branch

Section 1—Executive power vested in a president

1. He holds office for four years
2. He is elected by the electoral college
 - a. Each state gets the amount of electors they have in Congress. (The electors usually vote with the popular vote of the entire state, except in Maine and Nebraska where they vote by district)
 - b. To become president, a candidate must receive a majority of the electoral votes. If no majority is reached, the House of

Representatives chooses, but only with one vote per state. *The runner-up of the electoral college becomes Vice President.

*The 12th Amendment changed this.

3. President must be a natural-born citizen, 35 years old, and fourteen year resident of the U.S.
4. **The Vice President gets the power of President if the president is unable to perform his duties for any reason. **See 25th Amendment
5. The president shall receive compensation for his service that will not be diminished or increased during his term.
6. The president will take the oath of office

Section 2—Duties

1. President is commander in-chief of the army and navy
2. He can grant reprieves and pardons to all except impeached
3. With Senate approval, he can make treaties, and nominate ambassadors and judges of the Supreme Court and other federal officials
4. He can fill vacancies when the Senate is not in session

Section 3—State of the Union

1. He shall from time to time give the Congress information on the state of the Union
2. He can convene or adjourn Congress on extraordinary measures
3. He shall take care that all laws are faithfully executed and shall commission all officers of the US (federal civilian and military)

Section 4—Impeachment

1. All civil officers of the US shall be removed from office for impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors

Amendments to Article 2 provisions

- a. The 12th Amendment (1804)– The Electoral College votes for a president and a vice-president separately.
- b. The 20th Amendment (1933)–The Lame Duck Amendment
 - i. Changed Inauguration Day for the President and Vice President to January 20 at 12 noon. Changed Inauguration Day for Congress to January 3.
 - ii. Congress must meet at least once in every year, at noon on Jan. 3
- c. The 22nd Amendment (1951)–Term Limit for President
 - i. Maximum of 2 terms or 10 years for a president
- d. The 25th Amendment (1967)–Presidential succession***
 - i. The Vice President succeeds the President upon death, resignation, or incapacity
 - ii. When the Vice President becomes President, he nominates a new Vice President who is confirmed by a majority of both houses of Congress.
 - iii. The VP acts as President when the President cannot execute his duties temporarily (eg: medical procedure)

- iv. Removal of a President: requires the VP and a majority of the cabinet to submit in writing to the President Pro Tempore (Washington Senator Patty Murray-D) of the Senate and Speaker of the House a declaration that the President is unable to execute his duties. The VP immediately assumes authority of President.
 - 1. If there is an dispute, Congress votes
- v. ***The Presidential Succession Act–1947
 - 1. Draws on A2, S1, C6 of the Constitution where Congress is given authority to establish laws regarding succession.
 - 2. Harry S. Truman proposed this law to put elected officials (Speaker of the House and President Pro Tempore of the Senate) above appointed officials (cabinet members).
 - 3. Order after the VP: Speaker of the House, President Pro Tempore of the Senate, then cabinet secretaries by order of department creation: State, Treasury, War (Defense), AG, Postmaster General, Navy, Interior, Agriculture, Commerce, Labor,

Article 3—The Judicial Branch

Section 1—The Supreme Court

- 1. The judicial power is ultimately in the Supreme Court.
- 2. Congress may ordain and establish inferior courts.
- 3. Supreme Court Justices and inferior court judges hold their lifetime appointment on good behavior.
 - a. This exempts them from intimidation from Congress the President, or the people over decisions
 - b. It also keeps the Justices from having to run for reelection.
- 4. Their salary can't be increased or diminished

Section 2—Cases the Supreme Court hears

- 1. The Supreme Court hears cases that directly involve the Constitution, treaties, ambassadors, etc.
- 2. Also, foreign ambassadors or suits involving states go directly to Supreme Court
- 3. For all other cases, the Supreme Court is to be an appellate court (trials are to take place in their home states first)

Section 3—Grounds for treason

- 1. Treason is only making war against the US or helping her enemies do so, or giving aide or comfort to her enemies
- 2. No one can be convicted of treason unless two witnesses give testimony or the defendant testify in open court
- 3. Someone convicted of treason is punished as Congress sees fit
 - a. A person's family does not share guilt of a treasoner

Article 4—Full Faith and Credit

Section 1—Full Faith and Credit

- 1. Full Faith and Credit between states regarding public acts, records, and judicial proceedings

Section 2—Privileges and immunities

1. Citizens in states are entitled to all privileges of the other states
2. A fugitive who flees to another state must (upon the demand of the Governor of that state) be returned to the state where he committed the crime

Section 3—New States

1. New states may be admitted to the Union, but no violation of current state boundaries
2. Congress has jurisdiction over US owned territories

Section 4—Protection

1. The US will guarantee a republican form of government, protection from foreign invasion, and when necessary against domestic violence

Article 5—Amending the Constitution

The Constitution may be amended when either 2/3 of Congress or 2/3 of the state legislatures proposes an amendment and ¾ of the several states shall ratify

Article 6—Debts

- 1—all debts acquired before the Constitution shall be valid against the US (must be paid off)
- 2—The Constitution is to be the ruling law of the land, and all state laws must submit
- 3—All leaders state and federal must be bound by oath to the Constitution, but no religious test shall ever be given

Article 7—Ratification

The Constitution shall take effect when 9/13 of the states ratify

Constitutional Amendments

First Amendment

Congress shall make no law respecting an establishment of religion, nor prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, or of the right of the people peaceably to assemble and to petition the government for a redress of grievances.

Second Amendment

A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

Third Amendment

No soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Fourth Amendment

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but

upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Fifth Amendment (paraphrased)

No person can be punished for a capital crime unless indicted by a grand jury, nor be put into double jeopardy, nor be a witness against himself in a criminal case, nor be deprived of life, liberty, or property without due process of law, nor private property be taken without just compensation.

Sixth Amendment (paraphrased)

The right to a speedy and public trial by an impartial jury of the state and district wherein the crime is committed, and to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, and assistance of counsel.

Seventh Amendment

Trial by jury for common suits, and no fact tried by a jury shall be re-examined in another court except by law.

Eighth Amendment

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

Ninth Amendment

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Tenth Amendment

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

Eleventh Amendment (1798) (Description)

Establishes sovereignty of each state

Twelfth Amendment (1804) (Description)

Establishes new regulations for counting president and vice-president. Each member of the Electoral College casts a separate vote for the two offices. If no candidate receives a majority of electoral votes, the House of Representatives decides.

Thirteenth Amendment (1865)

Neither slavery nor involuntary servitude, except as punishment of a crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Fourteenth Amendment (1868) (Description)

1. All persons born or naturalized in the US are citizens...no state shall make or enforce any law which shall abridged the privileges or immunities of citizens of the U.S., nor shall any state deprive someone of life, liberty, or property without due process of law, nor deny any person equal protection of the law.
2. Representation is apportioned to the states based on all citizens (abolishes the $\frac{3}{5}$ clause). If states deny the vote to anyone, they lose their representation in Congress
3. Ex-Confederate officials prohibited from holding office
4. Ex-Confederate states cannot hold the U.S. liable for debts incurred due to participation in the Civil War, nor for emancipated slaves.

Fifteenth Amendment (1870)

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Sixteenth Amendment (1913)

The Congress shall have the power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

Seventeenth Amendment (1913) (Paraphrased)

Changed Senate selection from states to direct election by the people of a state.

Eighteenth Amendment (1919) (Paraphrased)

Prohibition of the manufacturer, sale, or transportation of intoxicating liquors in the United States.

Nineteenth Amendment (1920)

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Twentieth Amendment (1933) (Paraphrased)

1. Changed Inauguration day from March 4 to January 20 (shorten the Lame-Duck period) for the President and Vice President, and to January 3
2. Congress has to meet at least once per year on January 3 at 12 noon.
3. If the president-elect dies or cannot take office before the inauguration, the vice president-elect shall become president until a president shall qualify.

Twenty-First Amendment (1933) (Paraphrased)

Repealed the 18th Amendment.

Twenty-Second Amendment (1951) (Paraphrased)

Limits Presidential terms to 2 terms or 10 years, maximum.

Twenty-Third Amendment (1961) (Paraphrased)

Washington DC gets electoral votes according to its population, but no more than the least populous state (So, 3).

Twenty-Fourth Amendment (1964) (Paraphrased)

Voting cannot be denied because of failure to pay a poll tax.

Twenty-Fifth Amendment (1967) (Paraphrased)

1. Further clarifies that the Vice President becomes the President if/when the President dies, resigns, or can't perform the duties.
2. If there is a vacancy in the Vice Presidency, the President nominates a new Vice President who takes office upon a vote of confirmation from both houses of Congress.

Twenty-Sixth Amendment (1971)

The right of the citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Twenty-Seventh Amendment (1992)

No law, varying the compensation for services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.