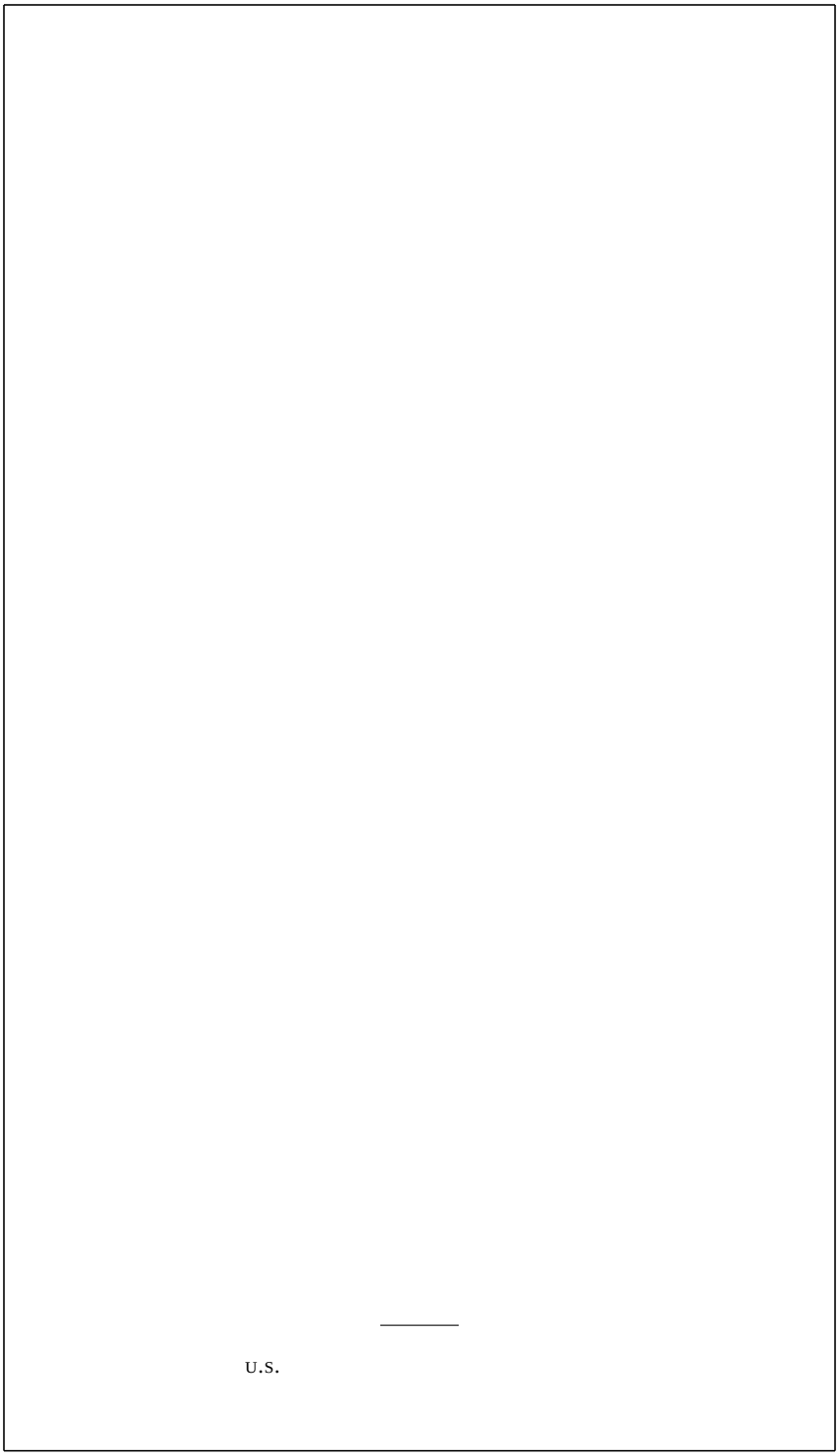

U.S.

H. Con. Res. 139 Agreed to June 20, 2003

One Hundred Eighth Congress
of the
United States of America

AT THE FIRST SESSION

Begun and held at the City of Washington on Tuesday, the seventh day of January, two thousand and three

Concurrent Resolution

Resolved by the House of Representatives (the Senate concurring),

. 2. V .

(a) IN GENERAL.—The 2003 revised edition of the brochure entitled "Our American Government" shall be printed as a House document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 550,000 copies of the document, of which 440,000 copies shall be for the use of the House of Representatives, 100,000 copies shall be for the use of the Senate, and 10,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of $454,160, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

Attest:

JEFF TRANDAHL,
Clerk of the House of Representatives.

Attest:

EMILY J. REYNOLDS,
Secretary of the Senate.

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The Committee on House Administration is pleased to present this revised book on our United States Government.

This publication continues to be a popular introductory guide for American citizens and those of other countries who seew.ciEWORD

V

1.

The purpose is expressed in the preamble to the Constitution: "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide

to make the most of their influence with Government on particular issues; this is how interest groups or political action committees are established and the lobbying process begins.

4. [illegible]

Some of the U.S. contributions to the institution of government are as follows: a written constitution, an independent judiciary to interpret the Constitution, and a division of powers between the Federal and State Governments.

2. That there should be three branches of Government—one to make the laws, another to execute them, and a third to interpret them.

3. That the Government is a government of laws, not of men. No one is above the law. No officer of the Government can use authority unless and except as the Constitution or public law permits.

4. That all men are equal before the law and that anyone, rich or poor, can demand the protection of the law.

5. That the people can change the authority of the Government by changing (amending) the Constitution. (One such change provided for the election of Senators by direct popular vote instead of by State legislatures).

6. That the Constitution, and the laws of the United States and treaties made pursuant to it, are "the supreme Law of the Land."

7.

The Bill of Rights is a series of constitutionally protected rights of citizens. The first 10 amendments to the Constitution, ratified by the required number of States on December 15, 1791, are commonly referred to as the Bill of Rights. The first eight amendments set out or enumerate the substantive and procedural individual rights associated with that description. The 9th and 10th amendments are general rules of interpretation of the relationships among the people, the State governments, and the Federal Government. The ninth amendment provides that the "enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." The 10th amendment reads: "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."

•

Right to freedom of religion, speech, and press (Amendment I);

Right to assemble peaceably, and to petition the Government for a redress of grievances (Amendment I);

Right to keep and bear arms in common defense (Amendment II);

Right not to have soldiers quartered in one's home in peace-

Right not to be deprived of life, liberty, or property without due process of law (Amendment V);

Right to just compensation for private property taken for public use (Amendment V);

Right in criminal prosecution to a speedy and public trial by an impartial jury, to be informed of the charges, to be confronted with witnesses, to have a compulsory process for calling witnesses in defense of the accused, and to have legal counsel (Amendment VI);

Right to a jury trial in suits at common law involving over $20 (Amendment VII);

Right not to have excessive bail required, nor excessive fines imposed, nor cruel and unusual punishments inflicted (Amendment VIII).

Amending the Constitution involves two separate processes.

First, amendments may be proposed on the initiative of Congress (by two-thirds affirmative vote in each House) or by convention (on application of two-thirds of the State legislatures). So far, a convention has never been called.

The second step is ratification of a proposed amendment. At the discretion of Congress, Congress may designate ratification either by the State legislatures or by conventions. Ratification requires approval by three-fourths of the States. Out of the 27 amendments, only one (the 21st, ending Prohibition) has been ratified by State conventions.

The first 10 amendments (ratified in 1791) were practically a part of the original instrument. The 11th amendment was ratified in 1795, and the 12th amendment in 1804. Thereafter, no amendment was made to the Constitution for 60 years. Shortly after the Civil War, three amendments were ratified (1865–70), followed by another long interval before the 16th amendment became effective in 1913. The most recent amendment, the 27th, was ratified on May 7, 1992. At the present time, there are four amendments pending before the States that were proposed without ratification deadlines.

10.

The Supreme Court has stated that ratification must be within "some reasonable time after the proposal." Beginning with the 18th amendment, it has been customary for Congress to set a definite period for ratification. In the case of the 18th, 20th, 21st, and 22nd amendments, the period set was 7 years, but there has been no determination as to just how long a "reasonable time" might extend.

In the case of the proposed equal rights amendment, the Congress extended the ratification period from 7 to approximately 10 years; but the proposed Amendment was never ratified.

The "reasonable time" doctrine recently arose, as well, in connection with an amendment pertaining to congressional pay, proposed in 1789 without a ratification deadline. The 38th State, Michigan,

gress can impeach and remove the President and Federal court justices and judges.

V

14.

The Congress of the United States is the legislative (lawmaking) and oversight (Government policy review) body of our National Government, and consists of two Houses—the Senate and the House of Representatives.

MEMBERS, OFFICES, AND STAFF

15.

The Constitution (Article 1, Section 2 for the House and Section 3 for the Senate) prescribes qualifications for Members of Congress.

A Member of the House of Representatives must be at least 25 years of age when entering office, must have been a U.S. citizen for at least seven years, and must be a resident of the State in which the election occurred.

Insert offset folio 01 here HD216.001

Insert offset folio 02 here HD216.002

1 .

The membership of the House of Representatives is fixed in law at 435 Members representing the 50 States. In addition to the 435 Representatives, there is one Delegate for each of the following: the District of Columbia, the Virgin Islands, Guam, and American Samoa (each elected for a two-year term); as well as a Resident Commissioner from Puerto Rico (elected for a four-year term). The Delegates and the Resident Commissioner can sponsor legislation and vote in committees, but not in the House Chamber.

The Constitution entitles each State to at least one Representative. Beyond this minimum, Representatives are apportioned among the States according to population. Population figures used for apportionment are determined on the basis of each 10-year census. (Following the 1990 census, the average district size was about 570,000 people). Since 1941, Congress has used the method of "equal proportions" to calculate actual apportionment, in order to minimize the differences in district populations among the States.

1 .

Congress fixes the size of the House of Representatives, and the procedure for apportioning the number of Representatives among the States, and the States themselves proceed from there. State legislatures pass laws defining the physical boundaries of congressional districts, within certain constraints established by Congress and the Supreme Court (through its reapportionment and redistricting rulings). Each State is apportioned its number of Representatives by means of the Department of Commerce's decennial census.

In the very early years of the Republic, most States elected their Representatives at large. The practice of dividing a State into districts, however, was soon instituted. Congress later required that Representatives be elected from "districts composed of a contiguous and compact territory," but this requirement is no longer in Federal law.

The redistricting process has always been provided for by State law, but Congress can choose to exercise greater authority over redistricting. In 1967, for example, Congress by law prohibited at-large elections of Representatives in all States entitled to more than one Representative. Today, all States with more than one Representative must elect their Representatives from single-Member districts.

20.

A Member of Congress is a person serving in the Senate or the House of Representatives. A Member of the Senate is referred to as Senator, and a Member of the House of Representatives, as Representative or Congressman or Congresswoman.

21.

The office of Delegate was established by ordinance from the Continental Congress (1774–89) and confirmed by a law of Congress. From the beginning of the Republic, accordingly, the House of Representatives has admitted Delegates from Territories or districts organized by law. Delegates and Resident Commissioners may participate in House debate but they are not permitted to vote on the floor. All serve on committees of the House and possess powers and privileges equal to other Members in committee, including the right to vote in committee. Currently, there are four Delegates in the House and one Resident Commissioner.

22.

Article VI of the U.S. Constitution requires that Members of Con-

25.

Article 1, Section 6 of the Constitution states that Senators and Representatives "shall in all Cases, except Treason, Felony, and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same." The phrase "Treason, Felony, and Breach of the Peace" has been construed to mean all indictable crimes, and the Supreme Court has held that the privilege against arrest does not apply in any criminal cases.

26.

Elected officers include the Speaker, Clerk, Sergeant at Arms, Chief Administrative Officer (CAO), and Chaplain. Another officer, the Inspector General, is appointed jointly by the Speaker, Majority Leader, and Minority Leader. Each of these officers appoints the employees provided by law for his or her department. (For an overview of the House's leadership and administrative structure, see the accompanying graphic, House of Representatives.)

The Constitution (Article 1, Section 2) says that the House "shall chuse [sic] their Speaker and other officers"; i.e., the Members vote as they do on any other question, except that in most cases it is strictly a party vote. Republicans and Democrats both meet before the House organizes for a new Congress, and choose a slate of officers. These two slates are presented at the first session of the House, and the majority-party slate can be expected to be selected. Traditionally, the majority party's nominee for Chaplain is not contested. The nominees for Clerk, Sergeant at Arms, CAO, and Chaplain are elected by a tally recorded by the House's electronic voting machine. For election of the Speaker, Members' names are called alphabetically, and they respond by orally stating the name of the candidate they prefer.

27.

The officers and officials of the House are, except where noted, elected by the House at the beginning of each Congress. They are the principal managers for the House of essential legislative, financial, administrative, and security functions. Their duties are prescribed in House Rule II and in statutes.

The Clerk of the House.—The Clerk is the chief legislative officer of the House. After each election, the Clerk receives the credentials of newly elected Members and presides at the opening of each new Congress pending the election of a Speaker. The Clerk keeps the official Journal of House proceedings, certifies all votes, and signs all bills and resolutions that have passed the House. The Clerk's office supervises the enrollment of legislation which originated in the House, and its presentment to the President. The Clerk's office also supervises legislative information resources in the House, the page program, and units providing public documents to the press and public.

The Sergeant at Arms.—The Sergeant at Arms is responsible for maintaining order on the floor and in the galleries when the House is in session. The office also maintains security in the House side of the Capitol and in House office buildings and facilities. As part of this responsibility, the House Sergeant at Arms, along with his or her Senate counterpart and the Architect of the Capitol, comprise the Capitol Police Board and the Capitol Guide Board. In addition, the Sergeant at Arms is charged with carrying out Section 5 of Article I of the Constitution, which authorizes the House (and Senate) "to compel the Attendance of absent Members."

The Chaplain.—The House Chaplain opens each daily House session with a prayer and provides pastoral services to House Members, their families, and staff. He also arranges for visits by guest chaplains. Traditionally, the Chaplain retains his post when party control of the House changes.

The Chief Administrative Officer (CAO).—The CAO is the principal House officer responsible for the financial management of House of Representatives accounts. Quarterly, his office issues a public document identifying all expenditures made by House Members, committees, and officers from appropriated funds at their disposal. The CAO's office, in addition to its financial management responsibilities, provides a range of services to Member and committee offices, including telecommunications, postal, and computer services, office supply and maintenance services, payroll and accounting services, employee counseling and assistance programs, and supervises private vendors and contractors providing services to the House.

The Inspector General (IG).—The Inspector General is the chief investigative officer of the House. His office (either through its own staff or through consultants) conducts periodic audits of House financial and administrative offices and operations. The IG's findings and recommendations are submitted to the appropriate House offices, to the congressional leadership, and to the House Administration Committee. The IG serves a two-year term and is jointly appointed by the Speaker, the Majority Leader, and the Minority Leader.

The General Counsel.—The General Counsel is the chief legal advisor to the House, its leaders and officers, and to its Members. The office represents the House, its Members, or employees in litigation resulting from the performance of official duties. The General Counsel is appointed by the Speaker in consultation with a bipartisan legal advisory group, which includes the Majority and Minority leaders.

The Historian.—By statute, the Office of the Historian acts to preserve the historical records of the House and its Members, to encourage historical research on the House, and to undertake original research and writing on the history of the House. The Historian is appointed by the Speaker. When the post is vacant, other legislative branch organizations and offices may perform some of these

2 .

The Speaker presides over the House, appoints chairmen to preside over the Committee of the Whole, appoints all special or select committees, appoints conference committees, has the power of recognition of Members to speak, and makes many important rulings and decisions in the House. The Speaker may vote, but usually does not, except in case of a tie. The Speaker and the Majority Leader determine the legislative agenda for the House and often confer with the President and with the Senate leadership.

2 .

Technically, yes. There is no constitutional impediment to such a selection. The House is empowered to choose its Speaker and other officers without restriction. But this possibility is unlikely, and indeed, the Speaker has always been a Member of the House.

30.

Sam Rayburn, of Texas, who was a Member of the House for 48 years and 8 months, served as Speaker for 17 years and 2 months. However, the rec2 montprw(Techniommitt)l6ress s There ygsal2yrrt.08(:6 Twbya som)l6P. "Tip"

points, to coordinate their legislative efforts, and to help determine the schedule of legislative business. The Leaders serve as spokespersons for their parties and for the House and Senate as a whole. Since the Framers of the Constitution did not anticipate political parties, these leadership posts are not defined in the Constitution but have evolved over time. The House, with its larger membership, required Majority and Minority Leaders in the 19th century to expedite legislative business and to keep their parties united. The Senate did not formally designate party floor leaders until the 1920s, although several caucus chairmen and committee chairmen had previously performed similar duties. In both Houses, the parties also elect assistant leaders, or "Whips." The Majority Leader is elected by the majority-party conference (or caucus), the Minority Leader by the minority-party conference. Third parties have rarely had enough members to need to elect their own leadership, and independents will generally join one of the larger party organizations to receive committee assignments. Majority and Minority Leaders receive a higher salary than other Members in recognition of their additional responsibilities.

34.

No. Rather, Members of the majority party in the House, meeting in caucus or conference, select the Majority Leader. The minority-party Members, in a similar meeting, select their Minority Leader. The majority and minority parties in the Senate also hold separate meetings to elect their leaders.

35. "

The Whips (of the majority and minority parties) keep track of all politically important legislation and endeavor to have all members of their parties present when important measures are to be voted upon. When a vote appears to be close, the Whips contact absent Members of their party, and advise them of the vote. The Whips assist the leadership in managing the party's legislative program on the floor of the Chambers and provide information to party Members about important legislative-related matters. The authority of the Whips over party Members is informal; in the U.S. Congress, a Member may vote against the position supported by a majority of the Member's party colleagues because of personal opposition or because of opposition evident within his or her constituency. In most cases, parties take no disciplinary action against colleagues who vote against the party position.

The Majority and Minority Whips in the House and Senate are elected by party Members in that Chamber. In the House, with its larger number of Members, the Majority and Minority Whips appoint deputy whips to assist them in their activities.

36.

A party caucus or conference is the name given to a meeting, whether regular or specially called, of all party Members in the House or Senate. The term "caucus" or "conference" can also mean the organization of all party Members in the House or Senate.

House Democrats refer to their organization as a "caucus." House and Senate Republicans and Senate Democrats call their three organizations as "conferences." The caucus or conference officially elects party floor leaders, the party whips, and nominates each party's candidates for the Speakership or President pro tempore and other officers in the House or Senate. The chairs of the party conferences and other subordinate party leaders are elected by vote of the conference or caucus at the beginning of each Congress. Regular caucus or conference meetings provide a forum in which party leaders and rank-and-file party Members can discuss party policy, pending legislative issues, and other matters of mutual concern.

The party caucus or conference also traditionally establishes party committees with specialized functions. Party committees generally nominate party Members to serve on the various committees of the House or Senate, subject to approval by the caucus or conference. Policy committees generally discuss party positions on pending legislation. Steering committees generally plan the schedule of Chamber action on pending legislation. Research committees conduct studies on broad policy questions, generally before committees of the House or Senate begin action on legislation. Campaign committees provide research and strategy assistance to party candidates for election to the House or Senate. The chairs of party committees are generally elected by their respective party caucus or conference; the exception is the House Democratic Steering and Policy Committee, which is chaired by the Speaker of the House (when the Democrats are in the majority) or by the Democratic floor leader (when they are in the minority).

The caucus or conference may also decide to appoint "task forces" to perform research on a new policy proposal, or to assist the formal leadership in developing a party position on important legislation. These "task forces" are traditionally disbanded once their work has been completed.

37. , ,

Congressional Member Organizations (CMOs), commonly referred to as caucuses, are groups of Members of Congress formed to pursue common legislative objectives. CMOs are voluntary groups that have no legal or corporate identity. CMOs take a variety of forms: some are comprised only of House Members, some only of Senators, and some have a membership drawn from both chambers. Many CMOs are bipartisan, having both Republican and Democratic members. A number of CMOs have been organized around State or regional issues and around subjects concerned with

cupy the east side of the Chamber, on the Speaker's right; Republicans sit across the main aisle, on the Speaker's left. Two tables each on the Democratic and Republican sides of the aisle are reserved for committee leaders during debate on a bill reported from their committee and for party leaders.

3 .

Yes. The individual seats in the Senate are numbered and assigned on request of Senators in order of their seniority. Democrats occupy the west side of the Chamber on the Vice President's right; Republicans sit across the main aisle to the Vice President's left. There is no set rule for seating of "Independents." By custom, the Majority and Minority Leaders occupy the front row seats on either side of the aisle, and the Majority and Minority Whips occupy the seats immediately next to their party's leader.

40.

The words "senior" or "junior" as applied to the two Senators from a State refer to their length of continuous service in the Senate, and not to their ages. Thus, a senior Senator may be younger in age than the junior Senator from the same State.

41.

The Capitol Hill office complex includes offices for House and Senate leaders and officers and for certain committees in the Capitol building itself, plus five House office buildings and three Senate office buildings, plus additional rented space in commercial office buildings near Union Station, north of the Capitol.

The three main House office buildings are located on Independence Avenue, south of the Capitol. Proceeding from east to west, the three buildings are the Cannon House Office Building, completed in 1908; the Longworth House Office Building, completed in 1933; and the Rayburn House Office Building, completed in 1965. The buildings are named for the Speakers of the House at the time the construction of the buildings was authorized. In these buildings are located the personal offices of each Member of the House, as well as the offices of House standing committees. Two additional buildings were purchased in 1957 and 1975 for use by the House for additional office space. The first building, on C Street behind the Cannon Office Building, was renamed the Thomas P. O'Neill House Office Building in 1990 and demolished in 2002. In addition to space for House committee and subcommittee staff, the building is now also the site of the House Page School Dormitory. The second building, on D Street SW, was renamed in 1990 the Gerald R. Ford House Office Building. Before becoming Vice President and President, Mr. Ford was House Republican Leader from 1965–73. He is the first person not to have been Speaker to have a House office building named after him.

The Senate office buildings are located on Constitution Avenue, northeast of the Capitol. The buildings were completed in 1909, 1958, and 1982, and are named in honor of influential 20th century

Senators: Richard B. Russell (D., GA), Everett M. Dirksen (R., IL), and Philip A. Hart (D., MI), respectively.

In addition to office space in Washington, DC, Representatives and Senators are entitled to rent office space in their districts or States.

42.

In addition to Congress—the House of Representatives and the Senate—the legislative branch includes the Architect of the Capitol, the Government Printing Office (GPO), the Library of Congress, and the legislative support agencies. The Architect's principal duties involve the construction, maintenance, and renovation of the Capitol Building as well as the congressional office buildings and other structures in the Capitol complex such as the Library of Congress buildings. GPO publishes the Congressional Record, congressional committee hearings and reports, and other congressional documents, as well as many executive branch publications. The Library of Congress, in addition to providing library services, research, and analysis to Congress, is also the national library. It houses premier national book, map, and manuscript collections in the United States; serves a major role assisting local libraries in book cataloging and other services; and supervises the implementation of U.S. copyright laws.

Three support agencies are also part of the legislative branch. The Congressional Budget Office, the Congressional Research Service in the Library of Congress, and the General Accounting Office directly assist Congress in the performance of its duties. On occasion, temporary advisory commissions are established and funded in the legislative branch.

43.

Legislative support agencies funded in the legislative appropriations act include the Congressional Budget Office (CBO), the Congressional Research Service (CRS) of the Library of Congress, and the General Accounting Office (GAO). CBO assists the House and Senate Budget Committees in evaluating the spending and revenue priorities of Congress and aids all congressional committees in estimating the cost of proposed legislation. CRS provides reference, research, and analytical assistance to committees, Members, and staff of Congress on current and anticipated policy issues. GAO primarily studies and reports to Congress on the economy and efficiency of Government programs, operations, and expenditures.

44.

Research assistance is available both from congressional staff and from legislative branch agencies created to assist Members, committees, and their staffs.

Senators and Representatives are allocated funds to hire personal staff to assist them in performance of their legislative and constituent work. Committees are provided with staff assistance, subject to House or Senate approval of operating funds for each committee. Committees may also be given authority to hire temporary consultants (in addition to their full-time staff) or to accept assistance from staff of other government agencies loaned to the committees.

Typically, the page schools meet during the mornings so that pages will be available for work during Chamber sessions later in the day.

CONGRESSIONAL PROCESS AND POWERS

47.

The constitutional provision that "all Bills for raising Revenue shall originate in the House of Representatives" (Article I, Section 7) is an adaptation of an earlier English practice. It was based on the principle that the national purse strings should be controlled by a body directly responsible to the people. So when the Constitution was formulated, the authority for initiation of revenue legislation was vested in the House of Representatives where the Members are subject to direct election every two years. However, the Constitution also guarantees the Senate's power to "propose or concur with Amendments as on other Bills."

4 .

Although the Constitution clearly delegates sole authority to originate tax measures to the House of Representatives, it makes no clear statement regarding the authority to originate appropriation measures. Despite occasional disputes between the House and Senate over such authority, the House customarily originates general appropriation bills. The Senate from time to time initiates special appropriation measures that provide funds for a single agency or purpose.

4 .

Authorizations and appropriations are separate and distinct parts of the Federal budget process. Authorizations are measures which establish Federal policies and programs, and may also make recommendations concerning the proper spending level for a program or agency. Those recommendations are acted upon in the form of appropriations, which provide specific dollar amounts for agencies, programs, and operations. If an authorization specifies a spending level or upper limit, this amount acts as the maximum that an appropriation can provide. The rules of both the House and the Senate prohibit unauthorized appropriations, but both Chambers have developed practices to avoid the operation of these rules if it is the desire of the Chamber to do so.

50.

Appropriations are provided in three different types of appropriation measures. Regular appropriation bills are a series of measures that together fund many Federal operations and programs for a fiscal year (October 1–September 30). Each of the 13 subcommittees of the House and Senate Appropriations Committees manages one regular appropriation bill. A supplemental appropriation bill is a measure which provides funds if a need develops that is too urgent to be postponed until the next fiscal year. Finally, a continuing resolution is a measure that provides stop-gap funding if Congress is

unable to complete action on one or more regular appropriation bills before the beginning of a fiscal year.

All regular appropriation bills as well as supplemental appropriation bills that fund more than a single agency or purpose are also referred to as general appropriation bills.

51.

The congressional budget process, established by the Congressional Budget and Impoundment Control Act of 1974, is the means by which Congress develops and enforces an overall budgetary plan, including levels for total revenues, total spending, and a surplus or deficit. This blueprint for all Federal spending is established in the form of a concurrent resolution on the budget. Spending authority is then allocated to congressional committees pursuant to this resolution. The rules of both the House and Senate prohibit spending measures in excess of these allocations. Any changes in existing law that are necessary to achieve these targets can be enacted in the form of a reconciliation bill.

52.

Sequestration is an across-the-board cut in Federal spending pursuant to a Presidential order. A sequestration order can only be issued if Congress fails to meet a budgetary requirement, such as a deficit target or a spending limit. Sequestration was first established in 1985 by the Balanced Budget and Emergency Deficit Reduction Act, also known as the Gramm-Rudman-Hollings Act.

53.

The Constitution (Article 1, Section 8) empowers Congress to levy taxes, collect revenue, pay debts, and provide for the general welfare; borrow money; regulate interstate and foreign commerce; establish uniform rules of naturalization and bankruptcy; coin money and regulate its value; punish counterfeiters; establish a postal system; enact patent and copyright laws; establish Federal courts inferior to the Supreme Court; declare war; provide for the armed forces; impeach and try Federal officers (Sections 2 and 3); and have exclusive legislative power over the District of Columbia. In Article II, Section 2, the Senate is given the power to consent to the ratification of treaties and confirm the nomination of public officials. Congress is also given the power to enact such laws as may be "necessary and proper" to implement its mandate in Article I. The power to enact laws is also contained in certain amendments to the Constitution.

54.

Under Article II of the Constitution, the President appoints, by and with the advice and consent of the Senate, ambassadors, other public ministers and consuls, Justices of the Supreme Court and Federal judges, and other Federal officers whose appointments are established by law, including the heads of executive branch departments and agencies and independent regulatory commissions. This means that, while the President nominates the individuals of these important positions in the Federal Government, the Senate must

confirm them before they take office. The Senate confirmation process can involve a background check of the nominee, often using information supplied by the Federal Bureau of Investigation; meetings between the nominee and individual Senators; hearings and a vote on the nomination by the committee with jurisdiction over the office; and debate and a vote in the full Senate, where a majority is necessary to confirm an appointment.

55.

Impeachment is the process by which the President, Vice President, Federal judges and Justices, and all civil officials of the United States may be removed from office. The President and other civil officials may be impeached and convicted for "Treason, Bribery, and other high Crimes and Misdemeanors."

The House of Representatives has the sole authority to bring charges of impeachment, by a simple majority vote, and the Senate has the sole authority to try impeachment charges. An official may be removed from office only upon conviction, which requires a two-thirds affirmative vote of the Senate. The Constitution provides that the Chief Justice shall preside when the President is being tried for impeachment.

56.

The Constitution (Article II, Section 2) states that the President is the Commander in Chief of the Army, Navy, and, when it is called into Federal service, State Militias (now called the National Guard). Historically, Presidents have used this authority to commit U.S. troops without a formal declaration of war. However, the Constitution reserves to Congress (Article I, Section 8) the power to raise and support the armed forces as well as the sole authority to declare war. These competing powers have been the source of controversy between the legislative and executive branches over war making. In 1973, Congress enacted the War Powers Resolution, which limits the President's authority to use the armed forces without specific congressional authorization, in an attempt to increase and clarify Congress's control over the use of the military. But the resolution has proven controversial, its operations has raised questions in Congress and the executive branch.

In addition, the armed forces operate under the doctrine of civilian control, which means that only the President or statutory deputies can order the use of force. The chain of command is structured to insure that the military cannot undertake actions without civilian approval or knowledge.

57.

The Constitution gives to Congress the authority to declare war; this has occurred on only five occasions since 1789, the most recent being World War II. But the President, as Commander in Chief, has implied powers to commit the Nation's military forces, which has occurred on more than 200 occasions in U.S. history. Moreover, Congress may authorize the use of the military in specific cases through public law.

The War Powers Resolution, enacted on November 7, 1973, as Public Law 93–148, also tried to clarify these respective roles of the President and Congress in cases involving the use of armed forces without a declaration of war. The President is expected to consult with Congress before using the armed forces "in every possible instance," and is required to report to Congress within 48 hours of introducing troops. Use of the armed forces is to be terminated within 60 days, with a possible 30–day extension by the President, unless Congress acts during that time to declare war, enacts a spe-

63.

The time of meeting is fixed by each Chamber. However, the time at which House and Senate meetings begin or end is often changed from day to day, depending on the work that must be done.

64.

The Speaker calls the House to order, and the Sergeant at Arms places the Mace (an ancient symbol of authority) on the pedestal at the right of the Speaker's platform. After the Chaplain offers a prayer, the Speaker recognizes a Member to lead the House in the Pledge of Allegiance. Then the Journal of the previous day's activities is approved, usually without being read. Next, the Speaker may recognize a few Members to speak briefly on matters of importance to them, for no longer than one minute each. The House then is ready to begin or resume consideration of a bill, resolution, or conference report.

65.

The initial proceedings of the Senate are similar. The Senate is called to order by the Vice President, the President pro tempore, or another Senator serving as acting President pro tempore. After a prayer, the pledge of allegiance and the approval of the Journal, the Majority and Minority Leaders are recognized in turn for brief periods to speak or to transact routine business. Other Senators then may speak, on matters of interest to them, for no longer than five minutes each. If the Senate had adjourned at the end of its previous meeting, a two-hour period, known as the "morning hour" is held, for disposing of routine and noncontroversial matters. If the Senate had recessed instead, which is the usual practice, there is no "morning hour" and the Senate proceeds instead to consider matters of legislative or executive business under its normal rules of procedure.

66.

Almost anything can be done in either House by unanimous consent, except where the Constitution or the rules of that Chamber specifically prohibit the Presiding Officer from entertaining such a request. For example, since the Constitution requires that a rollcall vote be taken to pass a bill over a Presidential veto, the Presiding Officer of the House or the Senate cannot entertain a unanimous consent request to waive this requirement. In the House of Representatives, unanimous consent requests to admit to the Chamber persons who are not permitted to be present under its rules, or to introduce visitors in the galleries to the House, are not in order.

67.

Most votes are taken by a simple voice method, in which the yeas and nays are called out, respectively, and the judgment of the chair as to which are greater in number determines the vote. If a recorded vote is desired, a sufficient second must support it. The

Constitution simply provides that "the Yeas and Nays of the Members of either House on any question shall at the Desire of one-fifth of those present, be entered on the Journal." A sufficient second in the Committee of the Whole is 25. Since 1973, the House has used an electronic voting system to reduce the time consumed in voting. The Senate continues to use an oral call of the roll. Each Chamber permits a minimum of 15 minutes to complete a vote, though time for each vote may be reduced if several votes are conducted sequentially.

6 . [illegible]

Yes. In the House, no matter is subject to more than one hour of debate, usually equally divided between the majority and the minority, without unanimous consent. Moreover, the majority can call for the "previous question," and bring the pending matter to an immediate vote. Nonlegislative debate is limited to one minute per

70.

A bill that is to be introduced is typed on a special House or Senate form and signed by the Representative or Senator who will introduce it. In the House, a Representative may introduce a bill any time the House is in session by placing it in a special box known as the "hopper," which is located on the Clerk's desk in the House Chamber. A Senator introduces a bill by delivering it to a clerk on the Senate floor while the Senate is in session, although it is formally accepted only during a period of time set aside in the Senate for the transacting of routine morning business.

71.

A bill may be introduced at any point during a two-year Congress, and remains eligible for consideration throughout the duration of that Congress until the Congress ends or adjourns sine die.

72.

Following is a brief description of the usual stages by which a bill becomes law. (A graphic follows this explanation that illustrates these stages, How a Bill Becomes a Law.)

(1) Introduction by a Member, who places it in the "hopper," a box on the Clerk's desk in the House Chamber; the bill is given a number and printed by the Government Printing Office so that copies are available the next morning.

(2) Referral to one or more standing committees of the House by the Speaker, at the advice of the Parliamentarian.

(3) Report from the committee or committees, after public hearings and "markup" meetings by subcommittee, committee, or both.

(4) House approval of a special rule, reported by the House

(11) Enrollment on parchment paper and then signing by the Speaker and by the President of the Senate.

(12) Transmittal to the President of the United States.

(13) Approval or disapproval by the President; if the President disapproves, the bill will be returned with a veto message that explains reasons for the disapproval. A two-thirds vote in each chamber is needed to override a veto.

(14) Filing with the Archivist of the United States as a new public law after approval of the President, or after passage by Congress overriding a veto.

Bills may be introduced in the Senate, and they follow essentially the same course of passage as bills first introduced and considered in the House of Representatives. (See questions above, however, on the House originating tax and appropriations bills.)

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73.

The President has three choices: First, to sign a bill within 10 days (Sundays excepted), whereupon it becomes a law. Second, the President may veto the bill, i.e., return it to Congress (stating objections) without a signature of approval. In this case, Congress may override the veto with a two-thirds vote in each House. The bill would then become a law despite the President's veto. The House and Senate are not required to attempt veto overrides. Third, the President may hold the bill without taking any action. Two different developments may occur in this situation depending upon whether Congress is in session. If Congress is in session, the bill becomes law after the expiration of 10 days (excluding Sundays), even without the President's signature. If Congress has adjourned at the end of a Congress the bill does not become law; this is called a "pocket veto".

74.

The provisions of a law take effect immediately unless the law itself provides for another date. The law may also specify which executive departments, agencies, or officers are empowered to carry out or enforce the law.

The actual written document is sent to the National Archives and Records Administration, an independent agency of the Government, where it is given a number. It is then published in individual form as a "slip law." At the end of each session of Congress, these new laws are consolidated in a bound volume called U.S. Statutes at Large. In addition, all permanent, general laws currently in force are included in the Code of Laws of the United States of America, commonly called the U.S. Code. The Office of Law Revision Counsel, part of the institutional structure of the House of Representatives, is responsible for preparing and issuing annual supplements to keep the Code up-to-date.

75.

Each House, by constitutional requirement, keeps a Journal of its proceedings. The Senate maintains and publishes a legislative journal and an executive journal. The latter contains proceedings related to the Senate's responsibilities for approving treaties and nominations. When the Senate sits as a court of impeachment, it keeps a separate journal of its proceedings. The executive journal is published annually.

The Journals do not report debates; they only report the bare parliamentary proceedings of each Chamber. In addition, the House Journal contains minimal information about actions taken by the House when meeting as a Committee of the Whole, because

(1833–73), and finally and currently the Congressional Record (1873 to the present).

The Congressional Record contains a stenographic record of everything said on the floor of both Houses, including rollcall votes on all questions. Members are permitted to edit and revise the transcripts of their spoken remarks. An appendix contains material not spoken on the floor but inserted by permission—the so-called "extensions of remarks." It also carries a brief resume of the congressional activities of the previous day, as well as a future legislative program and a list of scheduled committee hearings.

Since 1979 in the House and 1986 in the Senate, floor sessions have been televised. Videotape copies of House and Senate Chamber activities are preserved and available for research use at the Library of Congress and at the National Archives.

76.

Congress holds joint sessions to receive addresses from the President (e.g., State of the Union and other addresses) and to count electoral ballots for President and Vice President. Congress also holds joint meetings to receive addresses from such dignitaries as foreign heads of state or heads of governments or from distinguished American citizens.

Of the two types of gatherings, the joint session is the more formal and typically occurs upon adoption of a concurrent resolution passed by both Houses of Congress. The joint meeting, however, typically occurs when each of the two Houses adopts a unanimous consent agreement to recess to meet with the other legislative body. Since 1809, the prevailing practice has been to hold joint sessions and joint meetings in the Hall of the House of Representatives, the larger of the two Chambers.

Except for the first inauguration in 1789, in which the Congress convened in joint session to inaugurate President George Washington, these special occasions have occurred outside of the regular legislative calendars. Occasionally one chamber will convene a legislative session prior to attending the ceremony, but unless both do so and subsequently adjourn to attend the ceremony, the inauguration is not a joint session.

77.

No. Cabinet officers frequently testify before House and Senate committees and subcommittees, but they may not appear on the floor of either Chamber to respond publicly to Members' questions. There have been proposals to permit such a "question period" by amending congressional rules, but they have not been approved.

7 .

Visitors are allowed to listen to and watch the proceedings of the House and Senate from visitors' galleries in each House. Tour guides bring groups of visitors briefly into the House and Senate galleries. Visitors who wish to observe House and Senate floor sessions for longer periods of time without interruption must obtain

gallery passes, available without prior notice in the offices of their Senator or Representative.

All visitors must abide by certain rules and maintain proper decorum. They are not allowed to take radios, cameras, or umbrellas into either Chamber and they may not read, write, or take notes while inside. Visitors in the galleries are subject to control and supervision by the Presiding Officers of the House and Senate as well as doorkeepers stationed beside each entrance to the galleries. Unless there is a rare closed meeting of either House, visitors are allowed whenever Congress is in session.

Most committee hearings and meetings are also open to the public. Committees generally meet in rooms set aside for their use in the congressional office buildings and no visitors' passes are required, although audience space may be limited to accommodate congressional staff, executive branch officials, and journalists. Under certain circumstances specified in House and Senate Rules, committees may vote to close hearings or meetings to the public.

Special space is available in the galleries for accredited journalists, who are not subject to the prohibition on writing and taking notes. Since 1979, proceedings of the House have been accessible to the news media for television or radio broadcast. Senate sessions have been available for television and radio broadcast since 1986. Any committee hearing or meeting open to the public can also be broadcast on radio or television, subject to administrative control by the individual committee.

THE COMMITTEE SYSTEM

7.

Congressional organization and procedure have changed considerably over Congress's 200-year history in response to new needs and circumstances.

With respect to the committee system, for example, in the early years of the Republic, Congress relied on temporary, ad hoc committees to process legislation the full Chambers had considered. A system of permanent standing committees developed in the first half of the 19th century, when committees acquired many modern-day powers, such as the power to hold legislation they do not recommend for full Chamber action. Throughout the 19th century, so many committees were created to deal with emerging national issues that, by the 20th century, the system had become unwieldy. Early 20th century action by the Chambers abolished and consolidated panels to streamline decision making.

Major reorganization of the committee system was also achieved by the Legislative Reorganization Act of 1946. It established standardized committee procedures in many areas, abolished and merged committees to form integrated panels with broad jurisdictions, and gave each standing committee a permanent complement of staff. The act also revamped other areas of congressional procedure. For example, it established the first comprehensive laws to regulate the lobbying of Congress, which have since been amended. A similar 1970 Reorganization Act revised committee and other procedures, including strengthening Congress's fiscal controls. A

1974 House committee reform measure refined committees' jurisdictions, amended committee procedures, and expanded Congress's oversight of the executive branch. A 1977 Senate committee reform measure realigned and consolidated jurisdictions, revised and expanded Senators' service limitations on committees, and amended procedures for hiring staff and referring legislation, among other things. In 1993, another reform review was initiated by the Joint Committee on the Organization of Congress.

0.

From the earliest days, differences on legislation between the House and Senate have been committed to conference committees to work out a settlement. The most usual case is that in which a bill passes one Chamber with amendments unacceptable to the other. In such a case, the Chamber that disagrees to the amendments generally asks for a conference, and the Speaker of the House and the Presiding Officer of the Senate appoint the "managers," as the conferees are called. Generally, they are selected from the committee or committees having charge of the bill. After attempting to resolve the points in disagreement, the conference committee issues a report to each Chamber. If the report is accepted by both Chambers, the bill is then enrolled and sent to the President. If the report is rejected by either Chamber, the matter in disagreement comes up for disposition anew as if there had been no conference. Unless all differences between the two Houses are resolved, the bill fails.

Until 1975, it was customary for conference committees to meet in executive sessions closed to the public. In that year, both chambers adopted rules to require open conference meetings. Two years later, the House strengthened its open conference rule. Today, most conference committee sessions are open to public observation, with only a few exceptions for national security, or for other reasons.

1.

Standing committees are permanent panels comprised of Members of a Chamber. Each panel has jurisdiction over measures and laws in certain areas of public policy, such as health, education, energy, the environment, foreign affairs, and agriculture.

Although Congress has used standing committees since its earliest days, it did not predominantly rely on them during its first quarter century. In these early years, legislative proposals were considered initially by all Members of one Chamber in plenary session; afterwards, each proposal was referred to a temporary, ad hoc committee responsible for working out a proposal's details and making any technical changes. As the amount of legislative proposals increased, especially in certain subject areas, permanent committees replaced temporary ones for more expeditious screening and processing of legislation before its consideration by an entire Chamber.

Each Chamber now has its own standing committees, to allow it to consider many issues at the same time. Each committee selects, from the measures it receives each Congress, a relatively small number that merit committee scrutiny and subsequent consider-

ation by the full Chamber. Because of the small size of committees—and the often lengthy service of Members on the same panel—committees provide an effective means of managing Congress's enormous workload and gaining expertise over the range and complexity of subjects with which the Government deals.

2.

In 2003, the 19 standing committees were named: Agriculture; Appropriations; Armed Services; Budget; Education and the Workforce; Energy and Commerce; Financial Services; Government Reform; House Administration; International Relations; Judiciary; Resources; Rules; Science; Small Business; Standards of Official Conduct; Transportation and Infrastructure; Veterans' Affairs; and Ways and Means.

3.

In 2003, 16 standing committees were named: Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Finance; Foreign Relations; Governmental Affairs; Health, Education, Labor, and Pensions; Judiciary; Rules and Administration; Small Business and Entrepreneurship; and Veterans' Affairs.

4.

Before Members are assigned to committees, each committee's size and the proportion of Democrats to Republicans must be decided by each Chamber's party leaders. The total number of committee slots allotted to each party is approximately the same as the ratio between majority-party and minority-party Members in the full Chamber. Members are then assigned to committees in a three-step process, where the first is the most critical and decisive. Each of the two principal parties in the House and Senate is responsible for assigning its Members to committees, and, at the first stage, each party uses a committee on committees to make the initial recommendations for assignments. At the beginning of a new Congress, Members express preferences for assignment to the appropriate committee on committees; most incumbents prefer to remain on the same committees so as not to forfeit expertise and committee seniority. These committees on committees then match preferences with committee slots, following certain guidelines designed in part to distribute assignments fairly. They then prepare and approve an assignment slate for each committee, and submit all slates to the appropriate full-party conference for approval. Approval at this second stage often is granted easily, but the conferences have procedures for disapproving recommended Members and nominating others in their stead. Finally, at the third stage, each committee submits its slate to the pertinent full Chamber for approval, which is generally granted readily.

5.

Each House and Senate committee is authorized to establish its own quorum requirement for the transaction of business. House rules specify that House committees shall have at least two members present to take testimony or receive evidence and at least one third of the members present for taking any other action, except reporting out a bill to the floor. Senate rules also require at least one-third of the committee membership present to conduct most business, but permit committees to lower that quorum requirement for purposes of taking testimony. However, in both Chambers, a physical majority of the committee members must be present to report a bill to the floor.

6.

In the contemporary era, select committees are established by the House and Senate usually for limited time periods and for strictly limited purposes. In most cases, they have not been accorded legislative power—the authority to consider and report legislation to the full Chamber. After completing their purpose, such as an investigation of a Government activity and making a report thereon, the select committee expires. Recently, however, the Chambers have permitted select committees to continue to exist over long periods; some, such as the House and Senate Select Committees on Intelligence, have been granted legislative authority.

7.

Joint committees are those that have Members chosen from both the House and Senate, generally with the chairmanship rotating between the most senior majority-party Senator and Representative. In general, they do not have legislative power to consider and report legislation to the full Chambers. These committees can be created by statute, or by joint or concurrent resolution, although all existing ones have been established by statute. Congress now has four permanent or long-term joint committees, the oldest being the Joint Committee on the Library, which dates from 1800; the other three are the Joint Economic Committee, Joint Committee on Printing, and Joint Committee on Taxation. In addition, Congress sometimes establishes temporary joint committees for particular purposes, such as the Joint Congressional Committee on Inaugural Ceremonies, which is formed every four years to handle the organizational and financial responsibilities for the inauguration of the President and Vice President.

•

No. There may also be several bills similar or almost identical in substance introduced at the same time. In such cases, hearings frequently are held on a group of related measures, or a hearing on one bill serves for all similar bills. It is not always possible for Members to have individual hearings on their particular bills before a committee because of the press of business and the large number of bills referred to most committees.

Committees, for the most part, control whether hearings will be held on bills referred to them and whether these bills will be reported to the full Chamber for debate. Ordinarily, if a bill is not reported by a committee, the bill dies because the Chambers usually defer to the expertise and power of committee members in determining a measure's fate.

However, both the House and Senate have procedures for allowing measures not reported by a committee to be considered by the full Chamber. The House has a discharge procedure, usually used with measures of a controversial character. It is rarely employed and rarely successful, because it is cumbersome and because Members are uncomfortable circumventing committee authority. The procedure allows a majority of Representatives (218) to sign a petition to discharge a committee of any bill held there longer than 30 days, at which point the bill is placed on a special calendar and may be called up by any of the signers on the second or fourth Monday of any month. Very limited debate is allowed on the question of whether to consider a bill on the calendar. But, if the House agrees by majority to a bill's consideration, then it is debated under its general rules.

It is also possible to discharge a Senate committee by motion, but the procedure is rarely used. Instead, because the Senate does not generally require amendments to measures to be on the same subject as the measures, a Senator may offer the text of a measure buried in committee as an amendment to any measure being debated by the full Senate. This practice is not allowed in the House, where amendments must be relevant (called "germane") to the measures they seek to amend.

0.

Hearings by House committees and subcommittees are open to the public except when a committee, by majority vote while in public session, determines otherwise. This occurs, for instance, when n Ace tex1970ignra comdttees, for but

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chairman or ranking member down, according to length of service

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6. [illegible]

Article II of the Constitution vests the "executive power" in the President. There is dispute among scholars as to whether such executive power consists solely of the authorities enumerated for the President or whether it also includes powers that are implied in Article II. Most authorities lean toward the latter interpretation.

These powers are those expressly granted to the President within the text of the Constitution. They are few in number and most are listed in Article II, sections 2 and 3 of the Constitution. The President is Commander in Chief of the Army, Navy, and Air Force, and of the State Militias (now called the National Guard) when called into the service of the United States. The President may require the written opinion of military executive officers, and is empowered to grant reprieves and pardons, except in the case of impeachment. The President receives ambassadors and other public ministers, ensures that the laws are faithfully executed, and commissions all officers of the United States. The President has power, by and with the advice and consent of the Senate, to make treaties, provided that two-thirds of the Senators present concur. The President also nominates and appoints ambassadors, other public ministers and consuls, Justices of the Supreme Court, Federal judges, and other Federal officers whose appointments are established by law, by and with the advice and consent of the Senate. The President has the power to fill temporarily all vacancies that occur during the recess of the Senate. Also, the President may, on extraordinary occasions, convene "emergency" sessions of Congress. Furthermore, if the two Houses disagree as to the time of adjournment, the President himself may adjourn the bodies. In addition to these powers, the President also has enumerated powers that allow him to directly influence legislation. The Constitution directs the President periodically to inform Congress on the State of the Union, and to recommend legislation that is considered necessary and expedient. Also, in Article I, section 7, the Constitution grants the President the authority to veto acts of Congress.

7. [illegible]

In addition to express powers, the President possesses powers that are not enumerated within the Constitution's text. These implied powers have been, and continue to be, a subject of dispute and debate. The task of attributing implied powers to the President is complicated by three factors: the importance of the presidency in the political strategy of the Constitution; the President's extensive and vaguely defined authority in international relations; and the fact that the President is often said to have inherent or residual powers of authority.

For example, although the Constitution does not grant to the President express power to remove administrators from their offices, as the chief executive, the President holds power over executive branch officers, unless such removal power is limited by public law. The President, however, does not have such implied authority over officers in independent establishments. When President

rangements are made for the receipt of veto message during an adjournment, *Kennedy* v. *Sampson*, 511 F.2d 430 (D.C. Cir. 1974).

In other litigation, two 1974 pocket vetoes, one by President Richard Nixon during a 29-day intersession adjournment and one by President Gerald Ford during a 31-day intrasession adjournment, were contested in court. These pocket vetoes were invalidated when the Justice Department agreed to the summary judgment in *Kennedy* v. *Jones*, 412 F. Supp. 353, 356 (D.D.C. 1976).

In *Barnes* v. *Carmen*, 582 F. Supp. 163 (D.D.C. 1984), a pocket veto by President Ronald Reagan between sessions of the 98th Congress was upheld by the district court, following the ruling in the *Pocket Veto Case*. In a 2-to incke1 Tin adj*Kennes*

Franklin D. Roosevelt became the first President to take the oath on January 20. When inauguration day falls on a Sunday, it is traditional practice for the President to take the oath privately on January 20 and to hold the public ceremony the following day.

105.

According to Article II, section 1 of the Constitution, that person must be a natural-born citizen, at least 35 years old, and a resident of the United States for at least 14 years. The question as to whether a child born abroad of an American parent is "a natural-born citizen," in the sense of this clause, has been frequently de-

of the popular votes and only 84 electoral votes, and two additional candidates, William H. Crawford and Henry Clay, who had 78 electoral votes between them. The House voted in favor of John Quincy Adams.

10 . [illegible]

The oath of office for the President is prescribed by Article II, section 1, clause 8 of the Constitution as follows: *I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States.*

required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall assume the powers and duties of his office.

110. -

V

Under the Presidential Succession Act of 1947, it would be the Speaker of the House of Representatives, after resigning as Speaker and as a Representative. In the event the Speaker should not

Arthur served 3½ years of Garfield's term; and Lyndon B. Johnson served about 1¼ years of Kennedy's term.

114.

In the event that the President-elect dies or resigns after the electoral vote is cast, then the Vice President-elect would be sworn in as President, as provided for in the 20th Amendment.

115.

The 12th Amendment provides that the electors appointed by each State will name on distinct ballots the persons to be voted for as Vice President. A list of the electoral votes is then signed, certified, and transmitted "sealed" to the President of the U.S. Senate (i.e., the incumbent Vice President). These certificates are opened by the President of the Senate, in the presence of the Senate and House of Representatives, and the votes are then counted. The person having a majority of the Vice Presidential votes of the electors becomes Vice President. If no person has a majority, the Senate then chooses the Vice President from the two candidates receiving the largest number of votes. Two-thirds of the Senators must be present during the voting, with a majority necessary for election.

116.

The qualifications for Vice President are the same as President. Article II, Section 4 of the Constitution provides that a President must be a natural-born citizen, at least 35 years old, and have been a resident of the United States for at least 14 years. The Vice President must meet these same criteria.

117.

Under the Constitution the President may convene Congress, or either House, "on extraordinary occasions." It is usual for the President in calling an extra session to indicate the exact matter that needs the attention of Congress. However, once convened, a Congress cannot be limited in the subject matter that it will consider.

The President is also empowered by the Constitution to adjourn Congress "at such time as he may think proper" when the House and Senate disagree with respect to the time for adjournment. No President has exercised this power. Many constitutional experts believe the provision applies only in the case of extraordinary sessions.

11 .

Presidents George Washington and John Adams appeared before

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delivered a special message on finance. Later that same year, he delivered the "Annual Message" before both chambers, and, with the exception of President Herbert Hoover, the practice has been followed by subsequent Presidents.

11 . ' "

The President's Cabinet has been commonly regarded as an institution whose existence has relied more upon custom than law. Article II, section 2 of the Constitution, gives some guidance in this matter, stating that 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." The historical origins of the Cabinet can be traced to the first President, George Washington. After the First Congress created the State, Treasury, and War Departments and established the Office of the Attorney General, Washington made appropriate appointments and, subsequently, found it useful to meet with the heads, also known as secretaries, of the executive departments. The

funds such as money received from theaters, post exchanges on military bases, and various other types of user fees.

123.

Oversight of the executive departments is shared among the

126. [illegible]

The Civil Service Reform Act of 1978 created three separate agencies to replace the U.S. Civil Service Commission. The Office of Personnel Management (OPM) is the central personnel agency for the Federal Government. Among other responsibilities, it advises the President on civilian employment matters; executes, administers, and enforces civil service laws, rules, and regulations; and provides leadership and assistance to Federal agencies in carrying out Federal personnel policies.

The Merit Systems Protection Board (MSPBcy

tion. The 11th amendment, moreover, precludes citizens of one State from suing another State. Additionally, the Constitution provides that Congress may regulate the appellate jurisdiction of the Court. Congress has authorized the Supreme Court, among other things, to review judgements of lower Federal courts and the highest courts of the States.

134.

The internal review process of the Court has largely evolved by custom while the procedures to be followed by petitioners to the Court are established in rules set forth by the Court.

After initially examining each case submitted, the Justices hold a private conference to decide which cases to schedule for oral argument, which to decide without argument, and which to deny. If at least four Justices agree, a case will be taken by the Court for a decision, with or without oral argument, and the other petitions for review will be denied. If oral argument is heard, the parties are generally allowed a total of one hour to argue the issues and respond to questions from the Justices. Later, in conference, the Justices make their decision by simple majority or plurality vote. A tie vote means that the decision of the lower court is allowed to stand. Such a vote could occur when one or three Justices do not take part in a decision.

135.

Each year the Court receives more than 7,000 petitions from State and lower Federal courts. While examining all of the cases submitted, the Court agrees to hear oral arguments on about 90 each term. Also, the Justices, without hearing oral arguments, decide a limited number of other cases—usually fewer than 75. The rest of the petitions are denied.

136.

When the Justices have decided a case, the Chief Justice, if voting with the majority, may write the opinion himself or assign an Associate Justice to write the opinion of the Court. If the Chief Justice is in the minority, the senior Associate Justice in the majority may write the opinion himself or herself or assign another Associate Justice in the majority to write the opinion. The individual Justices may write their own concurring or dissenting opinions in any decision.

137.

Article VI of the Constitution provides that the Constitution and the laws of the United States made "in Pursuance thereof" shall be the supreme law of the land. Thus, when the Supreme Court decides a case, particularly on constitutional grounds, it becomes guidance for all the lower courts and legislators when a similar

terms of 15 years, and judges of the territorial District Courts in Guam, the Virgin Islands, and the Northern Mariana Islands have 10-year terms. Otherwise, the judges of the courts mentioned in the preceding questions, including the Supreme Court, courts of appeals, and most Federal district courts, have "good behaviour" tenure as specified in the Constitution, which is generally considered to be life tenure.

143. [illegible]

The Framers of the Constitution believed that by allowing for a "good behaviour" tenure and prohibiting the diminution of a judge's compensation while in office, the independence of the Federal judiciary could be preserved. Thus, if a judicial decision displeased the Executive or legislature, or a majority of the population, the judges could not be punished for it. This judicial independence was considered to be a key part of the system of checks and balances established by the Constitution.

144. [illegible]

Such judges may be removed from office by impeachment for treason, bribery, or other high crimes and misdemeanors. One statute specifically states that Justices or judges appointed under the authority of the United States who engage in the practice of law are guilty of a high misdemeanor. Otherwise, it is up to Congress to determine if certain judicial misbehavior meets the understanding of a high crime and misdemeanor.

145. [illegible]

A Federal statute provides that each Justice or judge of any court created by enactment of Congress shall take the following

ruary, and is completed well in advance of the national conventions, usually by June. National party conventions traditionally meet in July or August of Presidential election years, with the party "out of power" in the White House usually convening about one month prior to the other party.

The prenomination campaign may begin within the major parties as early as a candidate wishes to announce and begin organizing and fundraising. However, only funds raised after January 1 of the year preceding the Presidential election year qualify for Federal matching funds.

147. V

The President and Vice President of the United States are chosen every four years, in even-numbered years divisible by the number four, by a majority vote of Presidential electors who are elected by popular vote in each State.

Candidates for the Presidency, Vice Presidency, and the office of elector representing the major political parties are automatically accorded ballot access in all of the States, while minor party candidates must satisfy various State requirements, such as gaining a requisite degree of public support, through petition signatures, establishing a State-mandated organizational structure, or having polled a required number of votes in the most recent statewide election.

All States also provide for inclusion of independent candidates on the general election ballot. In almost every case, candidates must submit a requisite number of petitions signed by registered voters in order to gain ballot access. Some States also provide for write-in votes for candidates not included on the ballot.

Although the major political parties dominate Presidential election contests, there are usually a number of independent and minor party candidates. In 17ed voters ,didatexawell,terarty candi votesidatt of the Uwusualvote ballot.

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Although the term does not appear in the Constitution, the electors are collectively known as the electoral college.

Each State is assigned a number of electors equal to the total of its Senators and Representatives in the U.S. Congress. The District of Columbia, under the 23rd Amendment, chooses a number equal to that assigned to the least populous State (three). The electoral college currently comprises 538 members when constituted. The Constitution requires that candidates for President and Vice President receive an absolute majority of electoral votes in order to be

If no candidate for President or Vice President has received a majority, the House of Representatives, voting by States, elects the President, and the Senate, voting as individuals, elects the Vice President.

14 . [illegible]

The electors voted unanimously on only two occasions, both for George Washington, for the terms beginning in 1789 and 1793. In

Prior to the Civil War, State action extended the franchise to a point where all white males, 21 years of age or older, and some black males, in certain nonslave States, were eligible to vote. Since the Civil War, Congress and the States have, through a series of constitutional amendments and legislative enactments, progressively extended the franchise. The 15th Amendment (1870) guaranteed the right to vote regardless of "race, color, or previous condition of servitude"; the 17th Amendment (1913) provided for direct popular election to the Senate; the 19th Amendment (1920) extended the vote to women; the 23rd Amendment (1961) established the right to vote in Presidential elections for citizens of the District of Columbia; the 24th Amendment (1964) prohibited the payment of any tax as a prerequisite for voting in Federal elections; and the 26th Amendment (1971) extended the vote to citizens 18 years of age or older.

Since 1957, Congress has enacted laws designed to prevent racial discrimination in the election process, namely, the Civil Rights Acts of 1957, 1960, and 1964. In 1965, Congress also passed the Voting Rights Act which suspended for a stated period of time all tests and similar devices, which had been used to discriminate against minority groups, particularly black citizens. This same legislation authorized Federal officers to register voters and to observe elections to insure that there was no discrimination. In 1970, Congress extended for an additional period of time the test suspension features of the 1965 Act and reduced the residence requirements

Wisconsin provide for registration on election day. In addition, North Dakota does not require registration of voters, relying instead on presentation of personal identification at the polls. Thirty States and the District of Columbia require that voters be residents for a period of between 1 and 50 days prior to election day. In addition, most States bar registration and voting by convicted felons and those judged mentally incompetent.

152.

The administration of elections, including regulation of political parties, ballot access, and registration procedures, establishment of polling places, provision of election-day workers, counting and certification of the vote, and all costs associated with these activities, are the responsibility of the States. In performing these functions, the States are subject to the requirements of the Constitution and Federal law, as noted above.

153.

The Constitution (Article II, Section 1) provides that "Congress may determine the Time of choosing the Electors, and the Day on which they shall give their votes; which Day shall be the same throughout the United States." In 1792, Congress enacted legislation establishing the first Wednesday in December as the day on which Presidential electors were to assemble and vote, and further required the States to appoint electors within 34 days prior to the date set for the electors to vote. In 1845, Congress enacted legislation providing a uniform date for the choice of electors in all States, establishing "Tuesday next after the first Monday in the month of November of the year in which they are to be appointed."

In 1872, Congress extended the November election day to cover elections for Members and Delegates to the U.S. House of Representatives. In 1915, following ratification of the 17th amendment, which established direct popular election of Senators, the Tuesday after the first Monday in November was also designated as election day for Senators.

The decision to create a single day for the selection of Presidential electors was intended, in part, to prevent election abuses resulting from electors being selected on separate days in neighboring States. Several other reasons are also traditionally cited as being responsible for the selection of November as the time for Federal elections. In a largely rural and agrarian nation, harvesting of crops was completed by November, so farmers were able to take the time necessary to vote. Travel was also easier before the onset of winter weather throughout the northern States. Tuesday was chosen partly because it gave a full day's travel time between Sunday, which was widely observed by religious denominations as a strict day of rest, precluding most travel, and voting day. This interval was considered necessary when travel was either on foot or by horse in many areas, and the only polling place in most rural areas was at the county seat. The choice of Tuesday after the first Monday prevented elections from falling on the first day of the month, which was often reserved for court business at the county seat.

able records of the Federal Government, including materials dating to the Revolutionary War era. Its staff arranges and preserves Federal records and prepares inventories, guides, and other finding aids to facilitate their use by Government personnel, scholars, and the public. Its collections are available for use in research rooms in all of its facilities, and copies may be purchased. Most of the historically valuable records in the agency's custody are maintained in facilities in the Washington, DC, area. Records that are primarily of regional or local interest, however, are maintained in 11 regional archives; and there are, as well, 10 specialized Presidential libraries, which are managed by the National Archives.

157.

The Presidential libraries managed by the National Archives began with President Franklin D. Roosevelt, but the current program was established with the Presidential Libraries Act of 1955. Under the terms of this law, a former President or heirs may purchase land, usually near the former President's birthplace or hometown, erect a library edifice, place his papers and records in it, and deed the facility to the Federal Government. These libraries and their holdings are open to both scholars and the public. Presidential libraries have been established for Herbert Hoover (West Branch, IA), Franklin D. Roosevelt (Hyde Park, NY), Harry S Truman (Independence, MO), Dwight D. Eisenhower (Abilene, KS), John F. Kennedy (Boston, MA), Lyndon B. Johnson (Austin, TX), Gerald R. Ford (Ann Arbor, MI), Jimmy Carter (Atlanta, GA), Ronald Reagan (Simi Valley, CA), and George Bush (College Station, TX). A Richard M. Nixon Presidential Library has been built (Yorba Linda, CA), but it is a private facility and has not been deeded to the Federal Government. The Nixon Presidential records, however, remain in Washington, DC, due to a special 1974 Act of Congress placing them in the custody of the Archivist. A library also is being planned for William Clinton in Little Rock, AR. Web sites for Presidential libraries maintained by the Archivist of the United States may be found at <*http://www.archives.gov/presidential_libraries/index.html*>.

15 .

Many years ago, Congress recognized the desirability of making Government publications available to the public. The depository library program was created by Congress in order to promote the American public's awareness of the activities of their Government. Under this program, which is administered by the Superintendent of Documents of the Government Printing Office, nearly 1,300 libraries throughout the country receive Federal Government publications free of charge, and, in return, pledge to provide free access to all library patrons. Depository libraries are designated by law, by the Superintendent of Documents, and by Members of Congress.

a Federal Citizen Information Center, or a local reference librarian can usually help to identify the locations of depository libraries. A Government Printing Office Web site located at

161.

ment Printing Office (GPO). Original or microform copies of the items may also be found, to varying extents, in major public libraries, Federal depository libraries, and university and law libraries throughout the United States. Congressional publications are available, as well, through websites of the Government Printing Office (<www.access.gpo.gov/su_docs/index>), the Library of Congress (<http://thomas.loc.gov>), and the House (<www.house.gov/>) and the Senate (<www.senate.gov/>), the latter two sites providing avenues to committee Web sites where documents may be posted.

16 .

Congress routinely transfers its noncurrent, unpublished official records, consisting mostly of committee files, to the Center for Legislative Archives of the National Archives. Senate records are available there 20 years after they are created, although some are opened earlier by action of the committee that created them. House records become available 30 years after their creation, with permission from the Clerk of the House. A small group of House and Senate records involving national security or personal privacy issues remain closed for 50 years. The National Archives publishes guides that provide full descriptions of these valuable collections.

The office files of individual Senators and Representatives are considered their personal property. Most Members donate their papers to a historical research institution in their home state. Guides to the locations of these papers are available from the House and Senate historical offices.

Correct Form for Letters

President

The President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500
Dear Mr. President:

Very respectfully,

Vice President

The Vice President
Old Executive Office Bldg.
17th St. & Pennsylvania Avenue, N.W.
Washington, DC 20501
Dear Mr. Vice President:

Sincerely,

Senator

The Honorable ____
U.S. Senate
Washington, DC 20510
Dear Senator ____
Sincerely,

Representative

The Honorable ____
House of Representatives
Washington, DC 20515
Dear Mr. (Mrs. or Ms.) ____
Sincerely,

V

—Legislation which has passed both Houses of Congress, approved by the President, or passed over his veto, thus becoming law. Also used technically for a bill that has been passed by one House and engrossed.

—Action taken by either House of Congress to end a legislative day, which can last longer than 24 hours. (See also *sine die*).

—A process of Senate approval of executive and judicial appointments, and for treaties negotiated by the executive branch and signed by the President. Advice and consent of treaties requires approval by a two-thirds majority of Senators present and voting, while appointments require approval by a simple majority.

—A proposal by a Member (in committee or floor session of the respective Chamber) to alter the language or provisions of a bill or act. It is voted on in the same manner as a bill.

to substantial revision and amendment as part of its consideration by Congress.

—Allows Federal agencies to incur a financial liability. The basic types of budget authority are appropriations, contract authority, and borrowing authority.

—House and Senate guidelines, and later caps, on budget authority and outlays. The budget resolution is not submitted to the President for approval, as it is considered a matter of internal congressional rules. Bills that would exceed budget caps are subject to a point of order, although waivers have been granted regularly in both Houses of Congress.

—A list of bills, resolutions, or other matters to be considered before committees or on the floor of either House of Congress.

HOUSE LEGISLATION IS PLACED ON ONE OF FIVE CALENDARS:

Corrections Calendar—The Speaker may place on the Corrections Calendar any bill appearing on the Union or House Calendar. Customarily, these bills are noncontroversial and are normally called on the second and fourth Tuesday of each month.

Discharge Calendar—Calendar to which written motions to discharge bills from committees are referred when the necessary 218 (a majority of the full House membership) signatures have been obtained. Matters on the Discharge Calendar are considered on the second and fourth Monday of each month.

House Calendar—A list of public bills, and resolutions, other than revenue measures and measures appropriating money directly or indirectly, awaiting action by the House.

Private Calendar—Private bills in the House dealing with individual matters (such as claims against the Government, immigration, and land titles) are put on this calendar. The Private Calendar is called on the first and third Tuesday of each month.

Union Calendar—Bills and joint resolutions that directly or indirectly appropriate money or raise revenue are placed on this House Calendar chronologically according to the date reported from committee.

UNLIKE THE HOUSE, THE SENATE HAS ONLY TWO CALENDARS FOR MATTERS PENDING IN THE SENATE CHAMBER:

Senate Legislative Calendar—Listing of bills, both public and private, which have been reported from committee, have been discharged from committee, or which have been placed directly without referral to committee.

Senate Executive Calendar—Listing of Presidential nominations to Federal Government positions and treaties, both of which under the Constitution require the approval of the Senate.

—A meeting of Democratic Party members in the House, which elects party leaders and makes decisions on legislative business. (See also conference.)

—A parliamentary device used in the Senate (Rule 22) by which debate on a particular measure can be limited. The Senate otherwise has a tradition of unlimited debate. The action of 16 Senators is necessary to initiate a petition for cloture, and a vote

—A joint appropriations measure providing emergency funding for agencies whose regular appropriations bill has not been passed.

—Process in the House of Representatives by which a bill may be brought to the floor 30 days after referral to a committee (or 7 days in the case of the Rules Committee) by majoritr referral

eral calendar days, with the Senate recessing at the end of each calendar day, rather than adjourning.

—The process in which congressional committees and subcommittees amend and rewrite proposed legislation in order to prepare it for consideration on the floor.

—A petition to Congress from State legislatures, usually requesting some sort of legislation, or expressing the sense of the State legislature on a particular question.

—Two distinct uses of this term are: (1) the process by which candidates for an elected office gain political party approval and status as the party nominee on the general election ballot; (2) appointments to office by the President that are subject to Senate confirmation.

—The rule stipulating debate limits in the House of Representatives. Measures brought up for consideration in the House are debated for 1 hour, with the majority supporters of the bill customarily yielding half of the debate time to the opposing party.

—By custom (and not by rule of the House), Members may be recognized at the beginning of a daily session, after the Chaplain's prayer, the Pledge of Allegiance, and the approval of the Journal for the previous day's session. Sometime these speeches are made at the end of the day, after legislative business. Members address the House on subjects of their choice for not more than 1 minute each.

—The practices of the House and Senate prohibit direct reference in floor debate to actions taken in the other Chamber. Members typically refer to actions taken in "the other body," rather than to name the House or Senate expressly.

—A request or plea sent to one or both Houses from an organization or private citizens' group asking support of particular legislation or favorable consideration of a matter. Petitions are referred to appropriate committees for action.

—An objection by a Member of either House that a pending matter or proceeding is in violation of the rules.

( )—A group organized to promote its members' views on selected issues, usually through raising money that is contributed to the campaign funds of candidates who support the group's position.

—(Latin for *the time being*). The officer who presides over the Senate when its President (the Vice President of the United States) is absent. Tradition vests this office in the senior Senator of the majority party.

—A motion in the House to cut off debate

—The number of Members in each House necessary to conduct business (218 in the House, 100 in the Committee of the Whole, 51 in the Senate).

—Two uses of this term are: (1) the act of approval of a proposed constitutional amendment by the legislatures of the States; (2) the Senate process of advice and consent to treaties negotiated by the President.

—The process by which seats in the House of Representatives are reassigned among the States to reflect population changes following the decennial census.

—An interruption in the session of the House or Senate of a less formal nature than an adjournment. Typically, the Senate recesses at the end of most daily sessions in order to move more quickly into legislative business when it convenes again. In the House, the Speaker is authorized to declare short-term recesses during the daily session, but the House typically adjourns at the end of each day's meeting.

—The process within the States of redrawing legislative district boundaries to reflect population changes following the decennial census.

—The printed record of a committee's actions, including its votes, recommendations, and views on a bill or question of public policy or its findings and conclusions based on oversight inquiry, investigation, or other study.

—A proposal approved by either or both Houses which, except for joint resolutions signed by the President, does not have the force of law. Resolutions generally fall into one of three categories: (1) Simple resolutions, designated H. Res. or S. Res., deal with matters entirely within the prerogatives of the respective House. (2) Concurrent resolutions, designated H. Con. Res., or S. Con. Res., must be passed by both Houses, but are not presented for signature by the President. Concurrent resolutions generally are used to make or amend rules applicable to both Houses, or to express the sentiment of the two Houses. (3) Joint Resolutions, designated H.J. Res. or S.J. Res., require the approval of both Houses, and, with one exception, the signature of the President, and have the force of law if approved. There is no real difference between a bill and a joint resolution. The latter is generally used in dealing with limited matters, such as a single appropriation for a specific purpose, or for the declaration of war. Joint resolutions are also used to propose amendments to the Constitution, but these do not require the President's signature.

—An unrelated amendment attached to a pending bill in order to improve its chances for passage. Requirements of germaneness limit the use of riders in House bills.

—The period during which Congress assembles and carries on its regular business. Each Congress generally has two regular sessions, based on the constitutional mandate that Congress assemble at least once each year. In addition, the President is empowered to call Congress into special session.

Sine Die—The final adjournment (sine die being translated from Latin literally as "without a day") used to conclude a session of Congress.

—Also known as a "rule from the Rules Committee." Special rules are presented in the form of a House resolution by the Rules Committee to make House consideration of a particular bill in order, to set time limits for debate, and to regulate which amendments, if any, may be offered during House or Committee of the Whole consideration of the measure. Special rules are agreed to by the House by majority vote.

—Bills and joint resolutions (except for those proposing constitutional amendments) enacted by Congress and approved by the President (or his veto overridden).

—A House procedure which expedites consideration of legislation by limiting debate on a bill and prohibiting floor amendments, but which also requires a two-thirds majority for passage.

—A motion to stop action on a pending proposal and to lay it aside indefinitely. When the Senate or House agrees to a tabling motion, the measure which has been tabled is effectively defeated.

—A practice in the House and Senate to set aside a rule of procedure, so as to expedite proceedings. It is usually connected with noncontroversial matters.

—An agreement in the Senate, formulated by party leaders and other Senators, to regulate when important bills will be taken up on the floor and to limit debate on amendments. Sometimes referred to as a "time-limitation" agreement.

—The constitutional procedure by which T*0.052 Tw(jrtant bii/FemeTj/F1 ben Twfousas

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World Wide Web Sites:

www.congress.gov [Legislative Information System of Congress]

www.fedworld.gov [clearinghouse for information at many federal sites]

www.loc.gov [Library of Congress site, including Thomas and legislation]

www.nara.gov/fedreg [Office of Federal Register publications]

www.uscourts.gov [federal judiciary, including Supreme Court]

www.whitehouse.gov [White House and presidential activities].

STATE APPORTIONMENT AND HOUSE APPORTIONMENT

[Based on the 2000 Census]

State	1990 Census		2000 Census					Seat change from 1990	2003 average district pop. [d]
	Apportionment pop. [a]	Seats	Apportionment pop. [b]	Overseas federal	Change from 1990		Seats [c]		
					Total	Percent			
Alabama	4,040,587	7	4,461,130	14,030	420,543	10.41	7	.....	635,300
Alaska	550,043	1	628,933	2,001	78,890	14.34	1	.....	626,932
Arizona	3,665,228	6	5,140,683	10,051	1,475,455	40.26	8	+2	641,329
Arkansas	2,350,725	4	2,679,733	6,333	329,008	14.00	4	.....	668,350
California	29,760,021	52	33,930,798	59,150	4,170,777	14.01	53	1	639,088
Colorado	3,294,394	6	4,311,882	10,621	1,017,488	30.89	7	+1	614,466
Connecticut	3,287,116	6	3,409,535	3,970	122,419	3.72	5	−1	681,113
Delaware	666,168	1	785,068	1,468	118,900	17.85	1	.....	783,600
Florida	12,937,926	23	16,028,890	46,512	3,090,964	23.89	25	+2	639,295
Georgia	6,478,216	11	8,206,975	20,522	1,728,759	26.69	13	+2	629,727
Hawaii	1,108,229	2	1,216,642	5,105	108,413	9.78	2	.....	605,768
Idaho	1,006,749	2	1,297,274	3,321	290,525	28.86	2	.....	646,976
Illinois	11,430,602	20	12,439,042	19,749	1,008,440	8.82	19	−1	653,647
Indiana	5,544,159	10	6,090,782	10,297	546,623	9.86	9	−1	675,609
Iowa	2,776,755	5	2,931,923	5,599	155,168	5.59	5	.....	585,265
Kansas	2,477,574	4	2,693,824	5,406	216,250	8.73	4	.....	672,104
Kentucky	3,685,296	6	4,049,431	7,662	364,135	9.88	6	.....	673,628
Louisiana	4,219,973	7	4,480,271	11,295	260,298	6.17	7	.....	638,425
Maine	1,227,928	2	1,277,731	2,808	49,803	4.06	2	.....	637,462
Maryland	4,781,468	8	5,307,886	11,400	526,418	11.01	8	.....	662,061
Massachusetts	6,016,425	10	6,355,568	6,471	339,143	5.64	10	.....	634,910
Michigan	9,295,297	16	9,955,829	17,385	660,532	7.11	15	−1	662,563
Minnesota	4,375,099	8	4,925,670	6,191	550,571	12.58	8	.....	614,935
Mississippi	2,573,216	5	2,852,927	8,269	279,711	10.87	4	−1	711,164
Missouri	5,117,073	9	5,606,260	11,049	489,187	9.56	9	.....	621,690
Montana	799,065	1	905,316	3,121	106,251	13.30	1	.....	902,195
Nebraska	1,578,385	3	1,715,369	4,106	136,984	8.68	3	.....	570,421
Nevada	1,201,833	2	2,002,032	3,775	800,199	66.58	3	+1	666,086
New Hampshire	1,109,252	2	1,238,415	2,629	129,163	11.64	2	.....	617,893
New Jersey	7,730,188	13	8,424,354	10,004	694,166	8.98	13	.....	647,258
New Mexico	1,515,069	3	1,823,821	4,775	308,752	20.38	3	.....	606,349

STATE APPORTIONMENT AND HOUSE APPORTIONMENT—Continued

[Based on the 2000 Census]

POLITICAL DIVISIONS OF THE SENATE AND HOUSE FROM 1855 TO 2003—Continued

IN CONGRESS, JULY 4, 1776.

THE UNANIMOUS

OF THE

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WHEN in the Course of human Events, it becomes necessary for one People to dissolve the Political Bands which have connected them with another, and to assume among the Powers of the Earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the causes which impel them to the Separation.

WE hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness—That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient Causes; and accordingly all Experience hath shewn, that Mankind are more disposed to suffer, while Evils are sufferable, than to right themselves by abolishing the Forms to which they are accustomed. But when a long Train of Abuses and Usurpations, pursuing invariably the same Object, evinces a Design to reduce them under absolute Despotism, it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future Security. Such has been the patient Sufferance of these Colonies; and such is now the Necessity which constrains them to alter their former Systems of Government. The History of the present King of Great-Britain is a History of repeated Injuries and Usurpations, all having in direct Object the Establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid World.

HE has refused his Assent to Laws, the most wholesome and necessary for the public Good.

HE has forbidden his Governors to pass Laws of immediate and pressing Importance, unless suspended in their Operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

HE has refused to pass other Laws for the Accommodation of large Districts of People, unless those People would relinquish the Right of Representation in the Legislature, a Right inestimable to them, and formidable to Tyrants only.

HE has called together Legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole Purpose of fatiguing them into Compliance with his Measures.

HE has dissolved Representative Houses repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People.

HE has refused for a long Time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the Dangers of Invasion from without, and Convulsions within.

HE has endeavoured to prevent the Population of these States; for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their Migrations hither, and raising the Conditions of new Appropriations of Lands.

HE has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

HE has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries.

HE has erected a Multitude of new Offices, and sent hither Swarms of Officers to harrass our People, and eat out their Substance.

HE kept among us, in Times of Peace, Standing Armies, without the consent of our Legislatures.

HE has affected to render the Military independent of and superior to the Civil Power.

HE has combined with others to subject us to a Jurisdiction foreign to our Constitution, and unacknowledged by our Laws; giving his Assent to their Acts of pretended Legislation:

FOR quartering large Bodies of Armed Troops among us:

FOR protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:

FOR cutting off our Trade with all Parts of the World:

FOR imposing Taxes on us without our Consent:

FOR depriving us, in many Cases, of the Benefits of Trial by Jury:

FOR transporting us beyond Seas to be tried for pretended Offences:

FOR abolishing the free System of English Laws in a neighbouring Province, establishing therein an arbitrary Government, and enlarging its Boundaries, so as to render it at once an Example and fit Instrument for introducing the same absolute Rule into these Colonies:

FOR taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

FOR suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all Cases whatsoever.

HE has abdicated Government here, by declaring us out of his Protection and waging War against us.

HE has plundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People.

HE is, at this Time, transporting large Armies of foreign Mercenaries to compleat the Works of Death, Desolation, and Tyranny, already begun with circumstances of Cruelty and Perfidy, scarcely paralleled in the most barbarous Ages, and totally unworthy the Head of a civilized Nation.

HE has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the Executioners of their Friends and Brethren, or to fall themselves by their Hands.

HE has excited domestic Insurrections amongst us, and has endeavoured to bring on the Inhabitants of our Frontiers, the merciless Indian Savages, whose known Rule of Warfare, is an undistinguished Destruction, of all Ages, Sexes and Conditions.

IN every stage of these Oppressions we have Petitioned for Redress in the most humble Terms: Our repeated Petitions have been answered only by repeated Injury. A Prince, whose Character is thus marked by every act which may define a Tyrant, is unfit to be the Ruler of a free People.

NOR have we been wanting in Attentions to our British Brethren. We have warned them from Time to Time of Attempts by their Legislature to extend an unwarrantable Jurisdiction over us. We have reminded them of the Circumstances of our Emigration and Settlement here. We have appealed to their native Justice and Magnanimity, and we have conjured them by the Ties of our common Kindred to disavow these Usurpations, which, would inevitably interrupt our Connections and Correspondence. They too have been deaf to the Voice of Justice and of Consanguinity. We must, therefore, acquiesce in the Necessity, which denounces our Separation, and hold them, as we hold the rest of Mankind, Enes plu thbof 7a3,kindPeanjurers of a fr

SIGNERS OF THE DECLARATION OF INDEPENDENCE

According to the Authenticated List Printed by Order of Congress of January 18, 1777

John Hancock.

Georgia,	*Button Gwinnett,* *Lyman Hall,* *Geo. Walton.*	*New-York,*	*Wm. Floyd,* *Phil. Livingston,* *Frans. Lewis,* *Lewis Morris.*
North-Carolina,	*Wm. Hooper,* *Joseph Hewes,* *John Penn.*	*New-Jersey,*	*Richd. Stockton,* *Jno. Witherspoon,* *Fras. Hopkinson,* *John Hart,* *Abra. Clark.*
South-Carolina,	*Edward Rutledge,* *Thos. Heyward, Junr.,* *Thomas Lynch, Junr.,* *Arthur Middleton.*	*New-Hampshire,*	*Josiah Bartlett,* *Wm. Whipple,* *Matthew Thornton.*
Maryland,	*Samuel Chase,* *Wm. Paca,* *Thos. Stone,* *Charles Carroll,* *of Carrollton.*	*Massachusetts-Bay,*	*Saml. Adams,* *John Adams,* *Robt. Treat Pane,* *Elbridge Gerry.*
Virginia,	*George Wythe,* *Richard Henry Lee,* *Ths. Jefferson,* *Benja. Harrison,* *Thos. Nelson, jr.,* *Francis Lightfoot Lee,* *Carter Braxton.*	*Rhode-Island and Providence &C.,*	*Step. Hopkins,* *William Ellery.*
Pennsylvania,	*Robt. Morris,* *Benjamin Rush,* *Benja. Franklin,* *John Morton,* *Geo. Clymer,* *Jas. Smith,* *Geo. Taylor,* *James Wilson,* *Geo. Ross.*	*Connecticut,*	*Roger Sherman,* *Saml. Huntington,* *Wm. Williams,* *Oliver Wolcott.*
Delaware,	*Caesar Rodney,* *Geo. Read.*		

IN CONGRESS, JANUARY 18, 1777.

ORDERED,
That an authenticated Copy of the DECLARATION of INDEPENDENCY, with Names of the MEMBERS of CONGRESS, subscribing the same, be sent to each of the UNITED STATES, and that they be desired to have the same put on RECORD.

By Order of CONGRESS,

JOHN HANCOCK, *President.*

Attest. Chas Thomson, Secy

[1] This text of the Constitution follows the engrossed copy signed by Gen. Washington and the

second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.[4]

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION. 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December,[5] unless they shall by Law appoint a different Day.

SECTION. 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

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[4] This clause has been affected by clause 2 of amendment XVIII.
[5] This clause has been affected by amendment XX.

paid out of the Treasury of the United States.[6] They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

SECTION. 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION. 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

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[6] This clause has been affected by amendment XXVII.

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make

[7] This clause has been affected by amendment XVI.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION. 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Impost or Duties on Import or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

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, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the

said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.[8]

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office,[9] the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United

[8] This clause has been superseded by amendment XII.
[9] This clause has been affected by amendment XXV.

SECTION. 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE. IV.

SECTION. 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION. 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.[11]

SECTION. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION. 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE. V.

[11] This clause has been affected by amendment XII.

fourths of the several States, or by Conventions in three fourths thereof, as a of Ratification may be proposed by the one or the other Mode Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE. VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

DONE in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth.

In Witness whereof We have hereunto subscribed our Names,

GO. WASHINGTON—PRESIDt.
and deputy from Virginia

[Signed also by the deputies of twelve States.]

New Hampshire

JOHN LANGDON
NICHOLAS GILMAN

Massachusetts

NATHANIEL GORHAM

Delaware

GEO: READ
GUNNING BEDFORD JUN
JOHN DICKINSON
RICHARD BASSETT
JACO: BROOM

Maryland

JAMES M^{C}H

AMENDMENT [I.][13]

Congress shall make no law respecting an establishment of reli-

[12] The first ten amendments to the Constitution of the United States (and two others, one of which failed of ratification and the other which later became the 27th amendment) were proposed to the legislatures of the several States by the First Congress on September 25, 1789. The first ten amendments were ratified by the following States, and the notifications of ratification by the Governors thereof were successively communicated by the President to Congress: New Jersey, November 20, 1789; Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; New Hampshire, January 25, 1790; Delaware, January 28, 1790; New York, February 24, 1790; Pennsylvania, March 10, 1790; Rhode Island, June 7, 1790; Vermont, November 3, 1791; and Virginia, December 15, 1791.

Ratification was completed December 15, 1791.

The amendments were subsequently ratified by legislatures of Massachusetts, March 2, 1939: Georgia, March 18, 1939; and Connecticut, April 19, 1939.

[13] Only the 13th, 14th, 15th, 16th amendments had numbers assigned to them at the time of ratification.

The amendment was subsequently ratified by South Carolina on December 4, 1797. New Jersey and Pennsylvania did not take action on the amendment.

AMENDMENT [XII.]

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists 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 for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.[14]—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

PROPOSAL AND RATIFICATION

The twelfth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Ee thd/Consreas, op the l9h orfDecemb 1er , 1803 in tlieuof the sritgial dhirds paragraphof the sfirs seacion of the Ueacod

[14] This sentence has been superseded by section 3 of amendment XX.

The amendment was rejected by Delaware, January 18, 1804; Massachusetts, February 3, 1804; Connecticut, at its session begun May 10, 1804.

AMENDMENT XIII.

SECTION. 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION. 2. Congress shall have power to enforce this article by appropriate legislation.

PROPOSAL AND RATIFICATION

The thirteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Thirty-eighth Congress, on the 31st day of January, 1865, and was declared, in a proclamation of the Secretary of State, dated the 18th of December, 1865, to have been ratified by the legislatures of twenty-seven of the thirty-six States. The dates of ratification were: Illinois, February 1, 1865; Rhode Island, February 2, 1865; Michigan, February 2, 1865; Maryland, February 3, 1865; New York, February 3, 1865; Pennsylvania, February 3, 1865; West Virginia, February 3, 1865; Missouri, February 6, 1865; Maine, February 7, 1865; Kansas, February 7, 1865; Massachusetts, February 7, 1865; Virginia, February 9, 1865; Ohio, February 10, 1865; Indiana, February 13, 1865; Nevada, February 16, 1865; Louisiana, February 17, 1865; Minnesota, February 23, 1865; Wisconsin, February 24, 1865; Vermont, March 9, 1865; Tennessee, April 7, 1865; Arkansas, April 14, 1865; Connecticut, May 4, 1865; New Hampshire, July 1, 1865; South Carolina, November 13, 1865; Alabama, December 2, 1865; North Carolina, December 4, 1865; Georgia, December 6, 1865.

Ratification was completed on December 6, 1865.

The amendment was subsequently ratified by Oregon, December 8, 1865; California, December 19, 1865; Florida, December 28, 1865 (Florida again ratified on June 9, 1868, upon its adoption of a new constitution); Iowa, January 15, 1866; New Jersey, January 23, 1866 (after having rejected the amendment on March 16, 1865); Texas, February 18, 1870; Delaware, February 12, 1901 (after having rejected the amendment on February 8, 1865); Kentucky, March 18, 1976 (after having rejected it on February 24, 1865).

The amendment was rejected (and not subsequently ratified) by Mississippi, December 4, 1865.

AMENDMENT XIV.

SECTION. 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person within its jurisdiction the equal protection of the laws.

SECTION. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age,[15] and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the

[15] See amendment XIX and section 1 of amendment XXVI.

number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

PROPOSAL AND RATIFICATION

The fourteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Thirty-ninth Congress, on the 13th of June, 1866. It was declared, in a certificate of the Secretary of State dated July 28, 1868 to have been ratified by the legislatures of 28 of the 37 States. The dates of ratification were: Connecticut, June 25, 1866; New Hampshire, July 6, 1866; Tennessee, July 19, 1866; New Jersey, September 11, 1866 (subsequently the legislature rescinded its ratification, and on March 24, 1868, readopted its resolution of rescission over the Governor's veto, and on November 12, 1980, expressed support for the amendment); Oregon, September 19, 1866 (and rescinded its ratification on October 15, 1868); Vermont, October 30, 1866; Ohio, January 4, 1867 (and rescinded its ratification on January 15, 1868); New York, January 10, 1867; Kansas, January 11, 1867; Illinois, January 15, 1867; West Virginia, January 16, 1867; Michigan, January 16, 1867; Minnesota, January 16, 1867; Maine, January 19, 1867; Nevada, January 22, 1867; Indiana, January 23, 1867; Missouri, January 25, 1867; Rhode Island, February 7, 1867; Wisconsin, February 7, 1867; Pennsylvania, February 12, 1867; Massachusetts, March 20, 1867; Nebraska, June 15, 1867; Iowa, March 16, 1868; Arkansas, April 6, 1868; Florida, June 9, 1868; North Carolina, July 4, 1868 (after having rejected it on December 14, 1866); Louisiana, July 9, 1868 (after having rejected it on February 6, 1867); South Carolina, July 9, 1868 (after having rejected it on December 20, 1866).

Ratification was completed on July 9, 1868.

The amendment was subsequently ratified by Alabama, July 13, 1868; Georgia, July 21, 1868 (after having rejected it on November 9, 1866); Virginia, October 8, 1869 (after having rejected it on January 9, 1867); Mississippi, January 17, 1870; Texas, February 18, 1870 (after having rejected it on October 27, 1866); Delaware, February 12, 1901 (after having rejected it on February 8, 1867); Maryland, April 4, 1959 (after having rejected it on March 23, 1867); California, May 6, 1959; Kentucky, March 18, 1976 (after having rejected it on January 8, 1867).

AMENDMENT XV.

SECTION. 1. 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.

SECTION. 2. The Congress shall have power to enforce this article by appropriate legislation.

PROPOSAL AND

and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

PROPOSAL AND RATIFICATION

The seventeenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Sixty-second Congress on the 13th of May, 1912, and was declared, in a proclamation of the Secretary of State, dated the 31st of May, 1913, to have been ratified by the legislatures of 36 of the 48 States. The dates of ratification were: Massachusetts, May 22, 1912; Arizona, June 3, 1912; Minnesota, June 10, 1912; New York, January 15, 1913; Kansas, January 17, 1913; Oregon, January 23, 1913; North Carolina, January 25, 1913; California, January 28, 1913; Michigan, January 28, 1913; Iowa, January 30, 1913; Montana, January 30, 1913; Idaho, January 31, 1913; West Virginia, February 4, 1913; Colorado, February 5, 1913; Nevada, February 6, 1913; Texas, February 7, 1913; Washington, February 7, 1913; Wyoming, February 8, 1913; Arkansas, February 11, 1913; Maine, February 11, 1913; Illinois, February 13, 1913; North Dakota, February 14, 1913; Wisconsin, February 18, 1913; Indiana, February 19, 1913; New Hampshire, February 19, 1913; Vermont, February 19, 1913; South Dakota, February 19, 1913; Oklahoma, February 24, 1913; Ohio, February 25, 1913; Missouri, March 7, 1913; New Mexico, March 13, 1913; Nebraska, March 14, 1913; New Jersey, March 17, 1913; Tennessee, April 1, 1913; Pennsylvania, April 2, 1913; Connecticut, April 8, 1913.

Ratification was completed on April 8, 1913.

The amendment was subsequently ratified by Louisiana, June 11, 1914.

The amendment was rejected by Utah (and not subsequently ratified) on February 26, 1913.

AMENDMENT [XVIII.][16]

SECTION

[16] Repealed by section 1 of amendment XXI.

January 11, 1918; Kentucky, January 14, 1918; North Dakota, January 25, 1918; South Carolina, January 29, 1918; Maryland, February 13, 1918; Montana, February 19, 1918; Texas, March 4, 1918; Delaware, March 18, 1918; South Dakota, March 20, 1918; Massachusetts, April 2, 1918; Arizona, May 24, 1918; Georgia, June 26, 1918; Louisiana, August 3, 1918; Florida, December 3, 1918; Michigan, January 2, 1919; Ohio, January 7, 1919; Oklahoma, January 7, 1919; Idaho, January 8, 1919; Maine, January 8, 1919; West Virginia, January 9, 1919; California, January 13, 1919; Tennessee, January 13, 1919; Washington, January 13, 1919; Arkansas, January 14, 1919; Kansas, January 14, 1919; Alabama, January 15, 1919; Colorado, January 15, 1919; Iowa, January 15, 1919; New Hampshire, January 15, 1919; Oregon, January 15, 1919; Nebraska, January 16, 1919; North Carolina, January 16, 1919; Utah, January 16, 1919; Missouri, January 16, 1919; Wyoming, January 16, 1919.

Ratification was completed on January 16, 1919. See Dillon v. Gloss, 256 U.S. 368, 376 (1921).

The amendment was subsequently ratified by Minnesota on January 17, 1919; Wisconsin, January 17, 1919; New Mexico, January 20, 1919; Nevada, January 21,

in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

SECTION. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

SECTION. 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice

sey, April 15, 1947; Vermont, April 15, 1947; Ohio, April 16, 1947; Wisconsin, April 16, 1947; Pennsylvania, April 29, 1947; Connecticut, May 21, 1947; Missouri, May 22, 1947; Nebraska, May 23, 1947; Virginia, January 28, 1948; Mississippi, February 12, 1948; New York, March 9, 1948; South Dakota, January 21, 1949; North Dakota, February 25, 1949; Louisiana, May 17, 1950; Montana, January 25, 1951; Indiana, January 29, 1951; Idaho, January 30, 1951; New Mexico, February 12, 1951; Wyoming, February 12, 1951; Arkansas, February 15, 1951; Georgia, February 17, 1951; Tennessee, February 20, 1951; Texas, February 22, 1951; Nevada, February 26, 1951; Utah, February 26, 1951; Minnesota, February 27, 1951.

Ratification was completed on February 27, 1951.

The amendment was subsequently ratified by North Carolina on February 28, 1951; South Carolina, March 13, 1951; Maryland, March 14, 1951; Florida, April 16, 1951; Alabama, May 4, 1951.

The amendment was rejected (and not subsequently ratified) by Oklahoma in June 1947, and Massachusetts on June 9, 1949.

CERTIFICATION OF VALIDITY

Publication of the certifying statement of the Administrator of General Services that the amendment had become valid was made on March 1, 1951, F.R. Doc. 51–2940, 16 F.R. 2019.

AMENDMENT [XXIII.]

SECTION. 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

SECTION. 2. The Congress shall have power to enforce this article by appropriate legislation.

PROPOSAL AND RATIFICATION

This amendment was proposed by the Eighty-sixth Congress on June 17, 1960 and was declared by the Administrator of General Services on April 3, 1961, to have been ratified by 38 of the 50 States. The dates of ratification were: Hawaii, June 23, 1960 (and that State made a technical correction to its resolution on June 30, 1960); Massachusetts, August 22, 1960; New Jersey, December 19, 1960; New York, January 17, 1961; California, January 19, 1961; Oregon, January 27, 1961; Maryland, January 30, 1961; Idaho, January 31, 1961; Maine, January 31, 1961; Minnesota, January 31, 1961; New Mexico, February 1, 1961; Nevada, February 2, 1961; Montana, February 6, 1961; South Dakota, February 6, 1961; Colorado, February 8, 1961; Washington, February 9, 1961; West Virginia, February 9, 1961; Alaska, February 10, 1961; Wyoming, February 13, 1961; Delaware, February 20, 1961; Utah, February 21, 1961; Wisconsin, February 21, 1961; Pennsylvania, February 28, 1961; Indiana, March 3, 1961; North Dakota, March 3, 1961; Tennessee, March 6, 1961; Michigan, March 8, 1961; Connecticut, March 9, 1961; Arizona, March 10, 1961; Illinois, March 14, 1961; Nebraska, March 15, 1961; Vermont, March 15, 1961; Iowa, March 16, 1961; Missouri, March 20, 1961; Oklahoma, March 21, 1961; Rhode Island, March 22, 1961; Kansas, March 29, 1961; Ohio, March 29, 1961.

Ratification was completed on March 29, 1961.

The amendment was subsequently ratified by New Hampshire on March 30, 1961 (when that State annulled and then repeated its ratification of March 29, 1961).

The amendment was rejected (and not subsequently ratified) by Arkansas on January 24, 1961.

CERTIFICATION OF VALIDITY

Publication of the certifying statement of the Administrator of General Services that the amendment had become valid was made on April 3, 1961, F.R. Doc. 61–3017, 26 F.R. 2808.

AMENDMENT [XXIV.]

SECTION. 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

SECTION. 2. The Congress shall have power to enforce this article by appropriate legislation.

PROPOSAL AND RATIFICATION

This amendment was proposed by the Eighty-seventh Congress by Senate Joint Resolution No. 29, which was approved by the Senate on March 27, 1962, and by the House of Representatives on August 27, 1962. It was declared by the Administrator of General Services on February 4, 1964, to have been ratified by the legislatures of 38 of the 50 States.

This amendment was ratified by the following States:

Illinois, November 14, 1962; New Jersey, December 3, 1962; Oregon, January 25, 1963; Montana, January 28, 1963; West Virginia, February 1, 1963; New York, February 4, 1963; Maryland, February 6, 1963; California, February 7, 1963; Alaska, February 11, 1963; Rhode Island, February 14, 1963; Indiana, February 19, 1963; Utah, February 20, 1963; Michigan, February 20, 1963; Colorado, February 21, 1963; Ohio, February 27, 1963; Minnesota, February 27, 1963; New Mexico, March 5, 1963; Hawaii, March 6, 1963; North Dakota, March 7, 1963; Idaho, March 8, 1963; Washington, March 14, 1963; Vermont, March 15, 1963; Nevada, March 19, 1963; Connecticut, March 20, 1963; Tennessee, March 21, 1963; Pennsylvania, March 25, 1963; Wisconsin, March 26, 1963; Kansas, March 28, 1963; Massachusetts, March 28, 1963; Nebraska, April 4, 1963; Florida, April 18, 1963; Iowa, April 24, 1963; Delaware, May 1, 1963; Missouri, May 13, 1963; New Hampshire, June 12, 1963; Kentucky, June 27, 1963; Maine, January 16, 1964; South Dakota, January 23, 1964; Virginia, February 25, 1977.

Ratification was completed on January 23, 1964.

The amendment was subsequently ratified by North Carolina on May 3, 1989.

The amendment was rejected by Mississippi (and not subsequently ratified) on December 20, 1962.

CERTIFICATION OF VALIDITY

Publication of the certifying statement of the Administrator of General Services that the amendment had become valid was made on February 5, 1964, F.R. Doc. 64–1229, 29 F.R. 1715.

AMENDMENT [XXV.]

SECTION. 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

SECTION. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

SECTION. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them

a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

SECTION. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department [17] or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

PROPOSAL AND RATIFICATION

This amendment was proposed by the Eighty-ninth Congress by Senate Joint Resolution No. 1, which was approved by the Senate on February 19, 1965, and by the House of Representatives, in amended form, on April 13, 1965. The House of Representatives agreed to a Conference Report on June 30, 1965, and the Senate agreed to the Conference Report on July 6, 1965. It was declared by the Administrator of General Services, on February 23, 1967, to have been ratified by the legislatures of 39 of the 50 States.

This amendment was ratified by the following States:

Nebraska, July 12, 1965; Wisconsin, July 13, 1965; Oklahoma, July 16, 1965; Massachusetts, August 9, 1965; Pennsylvania, August 18, 1965; Kentucky, September 15, 1965; Arizona, September 22, 1965; Michigan, October 5, 1965; Indiana, October 20, 1965, California; October 21, 1965; Arkansas, November 4, 1965; New Jersey, November 29, 1965; Delaware, December 6j8 0 peUt7o3e, Defpd duties b6;0.1a, Se725 TwWeustVirgiania,e, Defp

[17] So in original. Probably be "departments".

CERTIFICATION OF VALIDITY

Publication of the certifying statement of the Administrator of General Services that the amendment had become valid was made on February 25, 1967, F.R. Doc. 67–2208, 32 F.R. 3287.

AMENDMENT [XXVI.]

SECTION. 1. The right of 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.

SECTION. 2. The Congress shall have power to enforce this article by appropriate legislation.

PROPOSAL AND RATIFICATION

This amendment was proposed by the Ninety-second Congress by Senate Joint Resolution No. 7, which was approved by the Senate on March 10, 1971, and by the House of Representatives on March 23, 1971. It was declared by the Administrator of General Services on July 5, 1971, to have been ratified by the legislatures of 39 of the 50 States.

This amendment was ratified by the following States: Connecticut, March 23, 1971; Delaware, March 23, 1971; Minnesota, March 23, 1971; Tennessee, March 23, 1971; Washington, March 23, 1971; Hawaii, March 24, 1971; Massachusetts, March 24, 1971; Montana, March 29, 1971; Arkansas, March 30, 1971; Idaho, March 30, 1971; Iowa, March 30, 1971; Nebraska, April 2, 1971; New Jersey, April 3, 1971; Kansas, April 7, 1971; Michigan, April 7, 1971; Alaska, April 8, 1971; Maryland, April 8, 1971; Indiana, April 8, 1971, Maine, April 9, 1971; Vermont, April 16, 1971; Louisiana, April 17, 1971; California, April 19, 1971; Colorado, April 27, 1971; Pennsylvania, April 27, 1971; Texas, April 27, 1971; South Carolina, April 28, 1971; West Virginia, April 28, 1971; New Hampshire, May 13, 1971; Arizona, May 14, 1971; Rhode Island, May 27, 1971; New York, June 2, 1971; Oregon, June 4, 1971; Missouri, June 14, 1971; Wisconsin, June 22, 1971; Illinois, June 29, 1971; Alabama, June 30, 1971; Ohio, June 30, 1971; North Carolina, July 1, 1971; Oklahoma, July 1, 1971.

Ratification was completed on July 1, 1971.

The amendment was subsequently ratified by Virginia, July 8, 1971; Wyoming, July 8, 1971; Georgia, October 4, 1971.

CERTIFICATION OF VALIDITY

Publication of the certifying statement of the Administrator of General Services that the amendment had become valid was made on July 7, 1971, F.R. Doc. 71–9691, 36 F.R. 12725.

AMENDMENT [XXVII.]

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

PROPOSAL AND RATIFICATION

This amendment, being the second of twelve articles proposed by the First Congress on September 25, 1789, was declared by the Archivist of the United States on May 18, 1992, to have been ratified by the legislatures of 40 of the 50 States.

This amendment was ratified by the following States: Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; Delaware, January 28, 1790; Vermont, November 3, 1791; Virginia, December 15, 1791; Ohio, May 6, 1873; Wyoming, March 6, 1978; Maine, April 27, 1983; Colorado, April 22, 1984; South Dakota, February 21, 1985; New Hampshire, March 7, 1985; Arizona, April 3, 1985; Tennessee, May 23, 1985; Oklahoma, July 10, 1985; New Mexico, February 14, 1986; Indiana, February 24, 1986; Utah, February 25, 1986; Arkansas, March 6, 1987; Montana, March 17, 1987; Connecticut, May 13, 1987; Wisconsin, July 15, 1987; Georgia, February 2, 1988; West Virginia, March 10, 1988; Louisiana, July 7, 1988; Iowa, February 9, 1989; Idaho, March 23, 1989; Nevada, April 26, 1989; Alaska, May 6, 1989; Oregon, May 19, 1989; Minnesota, May 22,

1989; Texas, May 25, 1989; Kansas, April 5, 1990; Florida, May 31, 1990; North Dakota, March 25, 1991; Alabama, May 5, 1992; Missouri, May 5, 1992; Michigan, May 7, 1992; New Jersey, May 7, 1992.

Ratification was completed on May 7, 1992.

The amendment was subsequently ratified by Illinois on May 12, 1992, and by California on June 26, 1992.

CERTIFICATION OF VALIDITY

Publication of the certifying statement of the Archivist of the United States that the amendment had become valid was made on May 18, 1992, F.R. Doc. 92–11951, 57 F.R. 21187.

[EDITORIAL NOTE: There is some conflict as to the exact dates of ratification of the amendments by the several States. In some cases, the resolutions of ratification were signed by the officers of the legislatures on dates subsequent to that on which the second house had acted. In other cases, the Governors of several of the States "approved" the resolutions (on a subsequent date), although action by the Governor is not contemplated by article V, which required ratification by the legislatures (or conventions) only. In a number of cases, the journals of the State legislatures are not available. The dates set out in this document are based upon the best information available.]

March 2, 1861, when it passed the Senate, having previously passed the House on February 28, 1861. It is interesting to note in this connection that this is the only proposed (and not ratified) amendment to the Constitution to have been signed by the President. The President's signature is considered unnecessary because of the constitutional provision that on the concurrence of two-thirds of both Houses of Congress the proposal shall be submitted to the States for ratification.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid, to all intents and purposes, as part of the said Constitution, viz:

"ARTICLE THIRTEEN

"No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State."

A child labor amendment was proposed by the lst session of the Sixty-eighth Congress on June 2, 1926, when it passed the Senate, having previously passed the House on April 26, 1926. The proposed amendment, which has been ratified by 28 States, to date, is as follows:

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

"ARTICLE—.

"SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under eighteen years of age.

"SECTION 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress."

An amendment relative to equal rights for men and women was proposed by the 2d session of the Ninety-second Congress on March 22, 1972, when it passed the Senate, having previously passed the House on October 12, 1971. The seven-year deadline for ratification of the proposed amendment was extended to June 30, 1982, by the 2d session of the Ninety-fifth Congress. The proposed amendment, which was not ratified by three-fourths of the States by June 30, 1982, is as follows:

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATIVE TO EQUAL RIGHTS FOR MEN AND WOMEN

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE—

"SECTION 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

"SECTION 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

"SECTION 3. amendment shall take effect two years after the date of ratification."

An amendment relative to voting rights for the District of Columbia was proposed by the 2d session of the Ninety-fifth Congress on August 22, 1978, when it passed the Senate, having previous passed the House on March 2, 1978. The proposed amendment, which was not ratified by three-fourths of the States within the specified seven-year period, is as follows: o77w6spec0a07 157 573.6T*0.J Tw("S)Tj6.4 0 0 67.84790a

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[The terms are cross-referenced to the question numbers in the text. The terms with an asterisk (*) are also included in the Glossary of Legislative Terms in the Appendix.]

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