We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Note: The parts of the Constitution that have been lined through are no longer in force or no longer apply because of later amendments. The titles of the sections and articles are added for easier reference.
**Article I  The Legislature**

**Section 1.  Congress**

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

**Section 2.  The House of Representatives**

1. **Elections**  The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

2. **Qualifications**  No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

3. **Number of Representatives**  Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service¹ for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.² The actual Enumeration³ shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4. **Vacancies**  When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

5. **Officers and Impeachment**  The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of impeachment.

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**Legislative Branch**

Article I explains how the legislative branch, called Congress, is organized. The chief purpose of the legislative branch is to make laws. Congress is made up of the Senate and the House of Representatives.

**The House of Representatives**

The number of members each state has in the House is based on the population of the individual state. In 1929 Congress permanently fixed the size of the House at 435 members.

**Vocabulary**

1. those bound to Service  indentured servants
2. all other Persons  slaves
3. Enumeration  census or official population count
Section 4. Congressional Elections

1. Regulations 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 choosing Senators.

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

Section 5. Rules/Procedures

1. Quorum 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.

2. Rules and Conduct 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.

3. Records 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.

4. Adjournment Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section 6. Payment

1. Salary The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. 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.

2. Restrictions 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 increased 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. How a Bill Becomes a Law

1. Tax Bills 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.

2. Lawmaking 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.

3. Role of the President 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.

How a Bill Becomes a Law

1. A member of the House or the Senate introduces a bill and refers it to a committee.

2. The House or Senate Committee may approve, rewrite, or kill the bill.

3. The House or the Senate debates and votes on its version of the bill.

4. House and Senate conference committee members work out the differences between the two versions.

5. Both houses of Congress pass the revised bill.
Section 8.

Powers Granted to Congress

1. Taxation  The Congress shall have Power To lay and collect Taxes, Duties,11 Imposts12 and Excises,13 to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

2. Credit  To borrow Money on the credit of the United States;

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

4. Naturalization and Bankruptcy  To establish an uniform Rule of Naturalization,14 and uniform Laws on the subject of Bankruptcies throughout the United States;

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

6. Counterfeiting  To provide for the Punishment of counterfeiting the Securities15 and current Coin of the United States;

7. Post Office  To establish Post Offices and post Roads;

8. Patents and Copyrights  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;

9. Courts  To constitute Tribunals inferior to the supreme Court;

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

Native Americans and the Commerce Clause

The commerce clause gives Congress the power to "regulate Commerce with . . . the Indian Tribes." The clause has been interpreted to mean that the states cannot tax or interfere with businesses on Indian reservations, but that the federal government can. It also allows American Indian nations to develop their own governments and laws. These laws, however, can be challenged in federal court. Although reservation land usually belongs to the government of the Indian group, it is administered by the U.S. government.

Drawing Conclusions  How would you describe the status of American Indian nations under the commerce clause?

Vocabulary

11 Duties  tariffs
12 Imposts  taxes
13 Excises  internal taxes on the manufacture, sale, or consumption of a commodity
14 Rule of Naturalization  a law by which a foreign-born person becomes a citizen
15 Securities  bonds

6 The president signs or vetoes the bill.

7 Two-thirds majority vote of Congress is needed to approve a vetoed bill. Bill becomes a law.

Analyzing Information

Why do you think the framers created this complex system for adopting laws?
11. War  To declare War, grant Letters of Marque and Reprisal,¹⁶ and make Rules concerning Captures on Land and Water;

12. Army  To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

13. Navy  To provide and maintain a Navy;

14. Regulation of the Military  To make Rules for the Government and Regulation of the land and naval Forces;

15. Militia  To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

16. Regulation of the Militia  To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

17. District of Columbia  To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

18. Necessary and Proper Clause  To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

The Elastic Clause

The framers of the Constitution wanted a national government that was strong enough to be effective. This section lists the powers given to Congress. The last portion of Section 8 contains the so-called elastic clause.

Section 9.  Powers Denied Congress

1. Slave Trade  The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.
2. Habeas Corpus  The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

3. Illegal Punishment No Bill of Attainder or ex post facto Law shall be passed.

4. Direct Taxes No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or enumeration herein before directed to be taken.

5. Export Taxes No Tax or Duty shall be laid on Articles exported from any State.

6. No Favorites No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another, nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

7. Public Money 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.

8. Titles of Nobility 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.  Powers Denied the States

1. Restrictions 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.

2. Import and Export Taxes No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports 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 Control of the Congress.

3. Peacetime and War Restraints 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.

Vocabulary

17Writ of Habeas Corpus a court order that requires the government to bring a prisoner to court and explain why he or she is being held

18Bill of Attainder a law declaring that a person is guilty of a particular crime

19ex post facto Law a law that is made effective prior to the date that it was passed and therefore punishes people for acts that were not illegal at the time

20Capitation a direct uniform tax imposed on each head, or person
Article II  The Executive

Section 1.  The Presidency

1. Terms of Office  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:

2. Electoral College  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.

3. Former Method of Electing President  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

The Electoral College

11 Number of Electors

Place  What two states have the most electors?
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 choose 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 choose 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. 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 choose from them by Ballot the Vice President.

4. Election Day  The 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.

5. Qualifications  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.

6. Succession  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, 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.

7. Salary  The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased 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.

8. Oath of Office  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 States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

The youngest elected president was John F. Kennedy, he was 43 years old when he was inaugurated. (Theodore Roosevelt was 42 when he assumed office after the assassination of McKinley.)

What is the minimum required age for the office of president?

Presidential Salary

In 1999 Congress voted to set future presidents' salaries at $400,000 per year. The president also receives an annual expense account. The president must pay taxes only on the salary.
Section 2. **Powers of Presidency**

1. **Military Powers** The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he 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, and he shall have Power to grant **Reprieves**\(^{21}\) and **Pardons**\(^{22}\) for Offences against the United States, except in Cases of Impeachment.

2. **Treaties and Appointments** He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

3. **Vacancies** The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section 3. **Presidential Duties**

He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section 4. **Impeachment**

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.