American Government

United States Constitution Study Guide

**Preamble**

The Preamble, like an introduction, states the \_\_\_\_\_\_\_\_\_\_\_\_\_ of the Constitution. It is to establish a government providing for greater cooperation among the States, ensuring justice and peace, providing for defense against foreign enemies, promoting the general well-being of the people, and securing liberty now and in the future. It expresses both \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in the statement “We the People.”

**Article I**

Article I focuses on the \_\_\_\_\_\_\_\_\_\_\_\_\_ branch of the government. Congress is the nation’s lawmaking body and is \_\_\_\_\_\_\_\_\_\_\_\_\_ or consists of two houses. The two houses of Congress are the Senate and the House of Representatives.

House of Representatives

All members of House of Representatives are elected to a \_\_\_\_\_\_\_\_\_\_\_\_\_ term of office. They are elected by the general voting public.

Representatives must be at least \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, an American citizen for 7 YEARS, and a resident of the State they represent.

The number of representatives each state has is based on the taking of a \_\_\_\_\_\_\_\_\_\_\_\_ every ten years. The size and apportionment of each representative district can change due to population changes at the time of the census. Each State has at least \_\_\_\_\_\_\_\_ representative. The permanent size of the House of Representatives was set at 435 with the Reapportionment Act of 1929. There are roughly one representative for each 650,000 Americans.

*(The original text of Article I included wording for counting of slaves, 3 persons for every five. This was known as the “Three-Fifths Compromise” and was used for figuring taxes. The 13th Amendment in 1865 made this portion obsolete.)*

The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ may call a special election to fill any vacancy in that State’s representation due to death, resignation, etc.

The House of Representatives elects its officers (i.e. Speaker of the House) and has the sole power to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ civil officers.

Senate

All members of the Senate are elected to a \_\_\_\_\_\_\_\_\_\_\_ term of office. \_\_\_\_\_\_\_\_\_\_\_ of the Senate is elected every \_\_\_\_\_\_ Years.

Before the 17th Amendment in 1913, Senators were elected by the legislature of each State. Now they are elected by the general voting public.

The Senate has a membership of 100 members, each State having \_\_\_\_\_Senators. They represent the \_\_\_\_\_\_\_\_\_\_\_ State where Representatives represent a specific district within the State.

The Governor of the State where a vacancy happens in a Senate seat my call a special election or appoint a replacement to fill the vacancy.

Senators must be at least \_\_\_\_\_\_\_\_\_\_\_\_\_\_, a U.S. citizen for at least 9 YEARS, and live in the State from which elected.

The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the United States is president of the Senate but only votes to break a tie.

The Senate chooses its officers, with a president pro tempore to preside when Vice President is absent.

The Senate conducts the trials where the House of Representative impeaches someone. A conviction needs a vote of \_\_\_\_\_\_\_\_\_\_ of senators present.

Elections and Meetings

The State legislatures draw up the House of Representative districts. All representatives are elected on the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in November of every even-numbered year.

Congress must meet at least once yearly, with the 20th Amendment the opening date is \_\_\_\_\_\_\_\_\_\_\_\_\_.

Revenue Bills, President’s Veto

All bills that raise money must come from the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The Senate can amend any revenue bill sent to it.

Once both houses have passed bill, it must go to the President. He may sign the bill into law, veto the bill sending it back to its starting house, allow it to become a law without signature by not acting on it within 10 days of receipt. He can also not act on the measure within 10 days and Congress adjourns, this causes the bill to die. Presidential veto can be overridden by a \_\_\_\_\_\_\_\_\_\_ vote in each house.

Powers of Congress

Congress can create and collect taxes, borrow money to finance the government (usually through selling bonds), regulate commerce both foreign and interstate, create requirements for becoming U.S. citizens, pass laws for bankruptcy, coin money and set its value, establish uniform gauges of time, distance, weight, volume, etc., create laws dealing with counterfeiting, create Post Offices and roads for such, give patents and copyrights, create lower federal courts, punish acts committed outside the territorial jurisdiction of the U.S. such as piracy, and against those acts committed in the U.S. against any country were are at peace with, declare war, create and keep the armed forces with a two-year limit on spending, maintain military law, provide for State’s militia as part of the National Guard, and with the “Necessary and Proper Clause,” they can have \_\_\_\_\_\_\_\_\_\_\_\_ power.

Powers denied to Congress

Congress had no power over slavery initially, it cannot withhold the writ of habeas corpus or deny the arrested person rights to know why arrested being determined by the court, it cannot charge someone “ex post facto” or for any crime after it has been committed if it was not a crime at the time, no head tax, no tax on interstate trade, no port in the U.S. can be favored by Congress over another, no establishment of nobility.

Powers denied to the States

States are not \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and can’t make agreements with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, they cannot coin money, they can’t tax imports or exports, they can’t maintain a standing army or navy.

**Article II**

Executive Department

Article II deals directly with the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and all offices directly related to that position.

**Section 1.1** The President has “Executive Power” to enforce laws and administer public policies.

The President hold that position for a term of \_\_\_\_\_\_\_\_ years along with the Vice President.

**Section 1.2**The ELECTORAL COLLEGE is established with a number from each State \_\_\_\_\_\_\_\_\_\_\_\_ to the number of members of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ from that State. The Electoral College selects the President and Vice President.

**Section 1.5**The President must be a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ U.S. citizen, at least \_\_\_\_\_\_\_\_\_\_\_\_\_\_, and a resident of the U.S. for at least 14 years.

**Section 1.8**The Chief Justice of the U.S. Supreme Court administers the oath of office for the President, but any judicial officer can do so.

**Section 2.1**The President is the Commander in Chief of the U.S. armed forces, allowing for \_\_\_\_\_\_\_\_\_\_\_\_\_\_ control of the military. The section “require the opinion, in writing” allows for the President’s Cabinet. The President can grant reprieves, pardons, and the power of clemency in federal cases.

**Section 2.2**The President has sole power to make treaties but they must receive 2/3rds vote in approval from the Senate to take effect. The President appoints principal officers of the executive branch and all \_\_\_\_\_\_\_\_\_\_\_\_ judges, plus those officers holding lesser posts.

**Section 2.3**The President can, for a temporary basis, fill vacancies during times when the Senate is not in session.

**Section 3**The President delivers a State of the Union address to Congress soon after its session begins. It is followed by the proposed federal budget and economic report. The President can call a special session of Congress or adjourn it if the two houses can’t agree on that purpose. The President receives any diplomatic representatives from other governments, insure proper execution of all federal laws, empower federal officers to hold their posts and perform their duties.

**Section 4**The President, Vice President and all Civil Officers can be removed from office through impeachment and conviction for the following reasons: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**.**

**Article III**

**Judicial Department**

**Section 1** The judicial power of the nation is given to one Supreme Court, along with lower federal courts. These judges hold their positions for \_\_\_\_\_\_\_\_\_\_, provided that they abide by all appropriate laws.

**Section 2.1** These courts can hear cases that relate to matters involving the federal government,, foreign involvement, those involving two or more States, and land issues. The 11th Amendment restricted jurisdiction of the federal courts.

**Section 2.2** The Supreme Court has \_\_\_\_\_\_\_\_\_\_\_\_\_ jurisdiction, or can first hear a case, and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ jurisdiction, hearing a case previously heard in a lower court. Nearly all of its cases are \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**Section 2.3** Anyone accused of a federal crime is granted the right to trial by jury in a federal court in the State the crime was committed.

**Section 3.1** Waging war against the U.S., joining with its enemies, and giving them aid are all considered treason. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is the only crime defined by the Constitution. It can only be committed during times of war by citizens or resident alien of the U.S.

**Section 3.2** The punishment for treason can range from only five years in prison and/or $10,000 fine to death. No one has ever been executed for treason against the U.S. The family or descendants of the convicted traitor can not be held responsible for punishment. It is also a crime to commit \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or sabotage, attempt to overthrow the government by force, or conspiracy during war or peacetime.

**Article IV**

**Relations among States**

**Section 1** Full Faith and Credit-Each State must recognize the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of every other State. An example would be Missouri accepting a marriage or drivers license from Illinois.

**Section 2.1** No State can discriminate against residents of other States. No State can give unreasonable distinctions to its own residents over those of another State.

**Section 2.2** Returning a fugitive to another State is known as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. A person in Missouri that has committed a crime in Iowa can be ordered returned to Iowa to face trial.

**Section 2.3** Fugitive slaves could be returned to the state they ran away from. This section is obsolete.

**Section 3.1** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ alone can admit new States to the Union. In the creation of a new State, no territory can be taken from an existing State without its legislature’s consent.

**Section 3.2** Congress has power to make laws over territories, other public lands, and all property of the U.S.

**Section 4** Republican form of government is generally seen as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ government. The Federal Government protects each State from attacks from outside its border and aids in efforts to put down internal conflicts.

**Article V**

**Provisions for Amendments**

Changes to the Constitution are allowed for through this Article. Amendments can be proposed by 1.) 2/3rds vote in each house of Congress, 2.) National convention called by Congress at the request of 2/3rds of the State legislatures. Ratification can be made by 1.) \_\_\_\_\_\_\_\_\_\_\_ of the State legislatures, or 2.) By 3/4ths of the States in conventions called for that purpose. Only the 21st Amendment has been ratified by the convention method.

**Article VI**

**National Debts, Supremacy of National Law, Oath**

**Section 1** Because of the amount borrowed during the American Revolution, Congress wanted to pledge that this new government would honor its debts.

**Section 2** The Supremacy Clause-This is a specific declaration of the supremacy of federal law over any forms of State or local law. State and local law can’t conflict with the Constitution, an act of Congress, treaty, an order, rule or regulation issued by the President or his representatives in the Executive branch.

**Section 3** All public officers, at any level, owe their first allegiance to the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Religion can’t be a consideration in holding any public office.

**Article VII**

**Ratification of the Constitution**

The \_\_\_\_\_\_\_\_\_ States represented at the Constitutional Convention used this Article to sign the Constitution into law. It is their signature of acceptance of the U.S. Constitution.