



The U.S. Constitution

Constitution of the United States of America

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CONSTITUTION OF THE UNITED STATES OF AMERICA

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, 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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

In May, 1785, a committee of Congress made a report recommending an alteration in the Articles of Confederation, but no action was taken on it, and it was left to the state legislatures to proceed in the matter. In January, 1786, the legislature of Virginia passed a resolution providing for the appointment of five commissioners, who, or any three of them, should meet such commissioners as might be appointed in the other states of the Union, at a time and place to be agreed upon, to take into consideration the trade of the United States; to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony; and to report to the several states such an act, relative to this great object, as, when ratified by them, will enable the United States in Congress effectually to provide for the same. The Virginia commissioners, after some correspondence, fixed the first Monday in September as the time, and the city of Annapolis as the place for the meeting, but only four other states were represented, viz.: Delaware, New York, New Jersey, and Pennsylvania; the commissioners appointed by Massachusetts, New Hampshire, North Carolina, and Rhode Island failed to attend. Under the circumstances of so partial a representation, the commissioners present agreed upon a report (drawn by Mr. Hamilton of New York) expressing their unanimous conviction that it might essentially tend to advance the interests of the Union if the states by which they were respectively delegated would concur, and use their endeavors to procure the concurrence of the other states, in the appointment of

commissioners to meet at Philadelphia on the second Monday of May following, to take into consideration the situation of the United States; to devise such further provisions as should appear to them necessary to render the Constitution of the federal government adequate to the exigencies of the Union; and to report such an act for that purpose to the United States in Congress assembled as, when agreed to by them and afterwards confirmed by the legislatures of every state, would effectually provide for the same.

Congress, on the 21st of February, 1787, adopted a resolution in favor of a convention, and the legislatures of those states which had not already done so (with the exception of Rhode Island) promptly appointed delegates. On the 25th of May, seven states having convened, George Washington, of Virginia, was unanimously elected President, and the consideration of the proposed Constitution was commenced. On the 17th of September, 1787, the Constitution as engrossed and agreed upon was signed by all the members present, except Mr. Gerry, of Massachusetts, and Messrs. Mason and Randolph, of Virginia. The President of the convention transmitted it to Congress, with a resolution stating how the proposed federal government should be put in operation, and an explanatory letter. Congress, on the 28th of September, 1787, directed the Constitution so framed, with the resolution and letter concerning the same, to "be transmitted to the several legislatures in order to be submitted to a convention of delegates chosen in each state by the people thereof, in conformity to the resolves of the convention."

On the 4th of March, 1789, the day which had been fixed for commencing the operation of government under the new Constitution, it had been ratified by the conventions chosen in each state to consider it, as follows: Delaware, December 7, 1787; Pennsylvania, December 12, 1787; New Jersey, December 18, 1787; Georgia, January 2, 1788; Connecticut, January 9, 1788; Massachusetts, February 6, 1788; Maryland, April 28, 1788; South Carolina, May 23, 1788; New Hampshire, June 21, 1788; Virginia, June 26, 1788; and New York, July 26, 1788.

The President informed Congress, on the 28th day of January, 1790, that North Carolina had ratified the Constitution November 21, 1789; and he informed Congress on the first of June, 1790, that Rhode Island had ratified the Constitution May 29, 1790. Vermont, in convention, ratified the Constitution January 10, 1791, and was, by an Act of Congress approved February 18, 1791, "received and admitted into this Union as a new and entire member of the United States."

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Section 1. Legislative powers vested in 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, Clause 1. House of Representatives—Composition—Electors.

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.

Sec. 2, Cl. 2. Qualifications of Representatives.

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.

Sec. 2, Cl. 3. Apportionment of Representatives and direct taxes.

[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 Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.] The actual Enumeration 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 chuse 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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The brackets in this clause indicate that the enclosed portion was superseded as modified by amendment. (See Amendment 14, § 2, and Amendment 16.)

The language of Amendment 16 superseding the provisions of this clause pertaining to “direct Taxes” relates expressly to “taxes on incomes” only, and does not purport expressly to affect any taxes other than “taxes on incomes.”

Sec. 2, Cl. 4. Vacancies.

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

Sec. 2, Cl. 5. Officers and impeachment.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3, Clause 1. Senate—Composition.

[The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.]

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause was superseded by the Seventeenth Amendment.

Sec. 3, Cl. 2. Classification of Senators.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every 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].

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The bracketed provisions of this clause were superseded by the Seventeenth Amendment.

Sec. 3, Cl. 3. Qualifications of Senators.

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.

Sec. 3, Cl. 4. President of the Senate.

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

Sec. 3, Cl. 5. Officers of the Senate.

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.

Sec. 3, Cl. 6. Trial of impeachments.

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.

Sec. 3, Cl. 7. Judgment in cases of impeachment.

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, Clause 1. Elections.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is also popularly known as the "Elections Clause".

Sec. 4, Cl. 2. Meetings.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The brackets in this clause indicate that the enclosed portion has been superseded or modified by Amendment 20.

Section 5, Clause 1. Organization of Congress.

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 Atten-

dance of absent Members, in such Manner, and under such Penalties as each House may provide.

Sec. 5, Cl. 2. Rules of proceedings—Punishment of members.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The text of this clause preceding the first comma is popularly known as the “Rules of Proceedings Clause”.

Sec. 5, Cl. 3. Journal of proceedings.

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.

Sec. 5, Cl. 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, Clause 1. Compensation and privileges of members.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The first sentence of this clause has been affected by Amendment 27.

The text appearing after the semicolon in the second sentence of this clause is popularly known as the "Speech or Debate Clause".

Sec. 6, Cl. 2. Holding other offices.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the "Incompatibility Clause" and also as the "Ineligibility Clause".

Section 7, Clause 1. Bills and Resolutions—Revenue 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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the "Origination Clause".

Sec. 7, Cl. 2. Approval or veto of bills—Passage over veto.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the "Presentment Clause" or the "Bicameralism Clause". Article I, § 7, Clauses 2 and 3 are also popularly known, collectively, as the "Presentment Clauses".

Sec. 7, Cl. 3. Approval or veto of Resolutions, orders, or votes—Passage over veto.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the Veto Clause, the Presentment Clause, the Second or Residual Presentment Clause, and, more recently, as the Orders, Resolutions, and Votes Clause.

Section 8, Clause 1. Powers of Congress—Taxation.

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;

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Parts of this clause are popularly known as the "Taxation Clause", the "General Welfare Clause", the "Spending Clause", and the "Uniformity Clause".

Sec. 8, Cl. 2. Power of Congress to borrow money.

To borrow Money on the credit of the United States;

Sec. 8, Cl. 3. Power of Congress to regulate commerce.

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

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the “Commerce Clause”. Parts of this clause are also popularly known as the “Interstate Commerce Clause”, the “Indian Commerce Clause” and the “Dormant Commerce Clause”.

Sec. 8, Cl. 4. Naturalization—Bankruptcy.

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

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Parts of this clause are popularly known as the “Naturalization Clause” and the “Bankruptcy Clause”.

Sec. 8, Cl. 5. Coinage, weights and measures.

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

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Part of this clause is popularly known as the “Coinage Clause”.

Sec. 8, Cl. 6. Counterfeiting.

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

Sec. 8, Cl. 7. Post offices and post roads.

To establish Post Offices and post Roads;

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the “Postal Clause”.

Sec. 8, Cl. 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;

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the “Patent and Copyright Clauses” or the “Copyright and Patent Clause” or the “Intellectual Property Clause”. Parts of this clause are known as the “Copyright Clause” and the “Patent Clause”.

Sec. 8, Cl. 9. Inferior tribunals.

To constitute Tribunals inferior to the supreme Court;

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the “Inferior Tribunals Clause”.

Sec. 8, Cl. 10. Offenses.

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

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Part of this clause is popularly known as the “Offenses Clause”.

Sec. 8, Cl. 11. Declare War.

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

Sec. 8, Cl. 12. Raise and support armies.

To raise and support Armies, but no Appropriation of

Money to that Use shall be for a longer Term than two Years;

Sec. 8, Cl. 13. Navy.

To provide and maintain a Navy;

Sec. 8, Cl. 14. Government and regulation of land and naval forces.

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

Sec. 8, Cl. 15. Calling forth militia.

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

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Article I, § 8, Cls. 15 and 16 are popularly known as the "Militia Clauses".

Sec. 8, Cl. 16. Organizing 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;

Sec. 8, Cl. 17. Authority over places purchased or ceded.

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

Sec. 8, Cl. 18. All necessary and proper laws.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the “Necessary and Proper Clause” or the “Sweeping Clause”.

Section 9, Clause 1. Prohibited powers—Migration or importation of persons.

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.

Sec. 9, Cl. 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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the “Suspension Clause”.

Sec. 9, Cl. 3. Bill of attainder—Ex post facto laws.

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

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Parts of this clause are popularly known as the “Bill of Attainder Clause” and the “Ex Post Facto Clause”.

Sec. 9, Cl. 4. Capitation or 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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause has been affected by Amendment 16.

Article I, § 2, cl. 3 and this clause are popularly known as the “Direct Tax Clauses”.

Sec. 9, Cl. 5. Tax on exports from state.

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

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the “Export Clause”.

Sec. 9, Cl. 6. Preference of ports.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the “Port Preference Clause”.

Sec. 9, Cl. 7. Expenditures of 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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Parts of this clause are known popularly as the “Appropriations Clause” and the “Statement and Accounts Clause”.

Sec. 9, Cl. 8. Titles of nobility—Presents from foreign state.

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, Clause 1. Powers denied states—Treaties—Money—Ex post facto laws—Obligation of contracts.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Parts of this clause are popularly known as the "Treaty or Alliance Clause", the "Ex Post Facto Clause" and the "Contracts Clause".

The part of this clause dealing with ex post facto laws and the part of Article I, § 9, Cl. 3 dealing with the same are popularly known as the "Ex Post Facto Clauses".

Sec. 10, Cl. 2. Imposts or duties.

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 Controul of the Congress.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the "Import-Export Clause".

Sec. 10, Cl. 3. Tonnage—State compacts—War.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Parts of this clause are popularly known as the "Tonnage Clause" and the "Compact Clause".

ARTICLE II. EXECUTIVE POWER.

- Section 1, Clause 1. President—Tenure.
- Clause 2. Presidential electors.
- Clause 3. Election of President and Vice President.
- Clause 4. Election day.
- Clause 5. Eligibility for office of President.
- Clause 6. Succession to office of President.
- Clause 7. Compensation of President.
- Clause 8. Oath of office.
- Section 2, Clause 1. Commander in Chief—Opinions of department heads—Reprieves and pardons.
- Clause 2. Treaties—Appointment of officers.
- Clause 3. Appointments during recess of Senate.
- Section 3. Recommendations to Congress—Convene and adjourn Congress—Receive ambassadors—Execute laws—Commission officers.
- Section 4. Removal from office.

Section 1, Clause 1. President—Tenure.

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:

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the “Vesting Clause”.

Sec. 1, Cl. 2. Presidential electors.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the "Elector Appointments Clause".

Sec. 1, Cl. 3. Election of President and Vice 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 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.]

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause has been enclosed in brackets as superseded by the Twelfth Amendment.

Sec. 1, Cl. 4. Election day.

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.

Sec. 1, Cl. 5. Eligibility for office of President.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the "Presidential Qualifications Clause". Part of this clause is also popularly known as the "Natural Born Citizen Clause".

Sec. 1, Cl. 6. Succession to office of President.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Part of this clause has been affected by Amendment 25.

Sec. 1, Cl. 7. Compensation of President.

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.

Sec. 1, Cl. 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."

Section 2, Clause 1. Commander in Chief— Opinions of department heads—Re- prieves and pardons.

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 and Pardons for Offences against the United States, except in Cases of Impeachment.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Parts of this clause are known popularly as the “Commander in Chief Clause”, the “Opinion Clause” and the “Pardon Clause”.

Sec. 2, Cl. 2. Treaties—Appointment of officers.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Parts of this clause are popularly known as the “Treaty Clause” and the “Appointments Clause”.

Sec. 2, Cl. 3. Appointments during recess of Senate.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

This clause is popularly known as the “Recess Appointments Clause”.

Section 3. Recommendations to Congress—Convene and adjourn Congress—Receive ambassadors—Execute laws—Commission officers.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Parts of this clause are popularly known as the “State of the Union Clause”, the “Recommendation Clause” and the “Take Care Clause”.

Section 4. Removal from office.

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.

ARTICLE III. JUDICIAL POWER.

Section 1. Supreme Court and inferior courts—Judges and compensation.

Section 2, Clause 1. Subjects of jurisdiction.

Clause 2. Jurisdiction of Supreme Court.

Clause 3. Trial by jury.

Section 3, Clause 1. Treason.

Clause 2. Punishment of Treason.

Section 1. Supreme Court and inferior courts— Judges and compensation.

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Section 2, Clause 1. Subjects of jurisdiction.

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The part of this clause related to controversies “between a State and Citizens of another State” has been affected by Amendment 11.

Parts of this clause are popularly known as the “Arising Under Clause” and the “Case or Controversy Clause” or “Case and Controversies Clause”.

Sec. 2, Cl. 2. Jurisdiction of Supreme Court.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Part of this clause is popularly known as the “Exceptions Clause”.

Sec. 2, Cl. 3. Trial by jury.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section 3, Clause 1. Treason.

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.

Sec. 3, Cl. 2. Punishment of Treason.

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. RELATIONS BETWEEN STATES.

Section 1. Full Faith and Credit.

Section 2, Clause 1. Privileges and immunities of citizens.

Clause 2. Delivery of fugitives.

Clause 3. Runaway slaves.

Section 3, Clause 1. Admission of new states.

Clause 2. Territory or property of United States.

Section 4. Form of State governments—Protection.

Section 1. Full Faith and Credit.

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, Clause 1. Privileges and immunities of citizens.

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

Sec. 2, Cl. 2. Delivery of fugitives.

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.

Sec. 2, Cl. 3. Runaway slaves.

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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

Article IV, § 2, clause 3, of the Constitution appears obsolete in view of the provisions of Amendment 13 prohibiting slavery and involuntary servitude.

Section 3, Clause 1. Admission of new states.

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.

Sec. 3, Cl. 2. Territory or property of United States.

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. Form of State governments—Protection.

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. AMENDMENT OF CONSTITUTION.

Amendment of Constitution.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the 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. MISCELLANEOUS PROVISIONS.

- Clause 1. Prior Debts Valid under Constitution.
- Clause 2. Supreme Law.
- Clause 3. Oath of Office.

Clause 1. Prior Debts Valid under Constitution.

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.

Clause 2. Supreme Law.

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.

Clause 3. Oath of Office.

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. RATIFICATION.

Ratification.

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

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

On the 4th of March, 1789, the day which had been fixed for commencing the operation of government under the new Constitution, it had been ratified by the conventions chosen in each state to consider it, as follows: Delaware, December 7, 1787; Pennsylvania, December 12, 1787; New Jersey, December 18, 1787; Georgia, January 2, 1788; Connecticut, January 9, 1788; Massachusetts, February 6, 1788; Maryland, April 28, 1788; South Carolina, May 23, 1788; New Hampshire, June 21, 1788; Virginia, June 26, 1788; and New York, July 26,

1788. The President informed Congress, on the 28th day of January, 1790, that North Carolina had ratified the Constitution November 21, 1789; and he informed Congress on the first of June, 1790, that Rhode Island had ratified the Constitution May 29, 1790. Vermont, in convention, ratified the Constitution January 10, 1791, and was, by an act of Congress approved February 18, 1791, "received and admitted into this Union as a new and entire member of the United States."

AMENDMENTS

ARTICLES IN ADDITION TO, AND IN AMENDMENT OF, THE CONSTITUTION OF THE UNITED STATES

Proposed by Congress, and Ratified by the Several States, Pursuant to the Fifth Article of the Original Constitution

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

In the original, the amendments are set out as "articles in addition to, and amendment of, the Constitution" Since they are usually referred to simply as "amendments," that term is used herein instead of the word "Article," so as to avoid confusion with the body of the Constitution.

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 on December 15, 1791.

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

Amendment 1. Religious and political freedom.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment 2. Right to bear arms.

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment 3. Quartering soldiers.

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

Amendment 4. Unreasonable searches and seizures.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment 5. Criminal actions—Provisions concerning—Due process of law and just compensation clauses.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in

the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment 6. Rights of the accused.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Amendment 7. Trial by jury in civil cases.

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Amendment 8. Bail—Punishment.

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

Amendment 9. Rights retained by people.

The enumeration in the Constitution, of certain

rights, shall not be construed to deny or disparage others retained by the people.

Amendment 10. Powers reserved to states or people.

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.

Amendment 11. Suits against states—Restriction of judicial power.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The Eleventh Amendment to the Constitution of the United States was proposed to the legislatures of the several states by the Third Congress on the 4th of March, 1794, and was declared in a message from the President to Congress, dated the 8th of January, 1798, to have been ratified by the legislatures of three-fourths of the States. The dates of ratification were: New York, March 27, 1794; Rhode Island, March 31, 1794; Connecticut, May 8, 1794; New Hampshire, June 16, 1794; Massachusetts, June 26, 1794; Vermont, between October 9, 1794 and November 9, 1794; Virginia, November 18, 1794; Georgia, November 29, 1794; Kentucky, December 7, 1794; Maryland, December 26, 1794; Delaware, January 23, 1795; North Carolina, February 7, 1795.

Ratification was completed on February 7, 1795.

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

This Amendment resulted from the decision in the case of *Chisholm v Georgia* (1793) 2 US 419, 1 L Ed 440, in which it was held that a state

was suable in the Supreme Court by individual citizens of another state.

Amendment 12. Election of President and Vice-President.

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 case of the death or other constitutional disability of the President. — 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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The twelfth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Eighth Congress, on the 9th of December, 1803, in lieu of the original third paragraph of the first section of the second article; and was declared in a proclamation of the Secretary of State, dated the 25th of September, 1804, to have been ratified by the legislatures of 13 of the 17 States. The dates of ratification were: North Carolina, December 21, 1803; Maryland, December 24, 1803; Kentucky, December 27, 1803; Ohio, December 30, 1803; Pennsylvania, January 5, 1804; Vermont, January 30, 1804; Virginia, February 3, 1804; New York, February 10, 1804; New Jersey, February 22, 1804; Rhode Island, March 12, 1804; South Carolina, May 15, 1804; Georgia, May 19, 1804; New Hampshire, June 15, 1804.

Ratification was completed on June 15, 1804.

The amendment was subsequently ratified by Tennessee, July 27, 1804.

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

The amendment was partially superseded by section 3 of the twentieth amendment.

This Amendment resulted from the Adams-Jefferson-Burr election contest for the presidency.

Amendment 13.

Sec. 1. [Slavery prohibited.] 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.

Sec. 2. [Power to enforce amendment.] Congress shall have power to enforce this article by appropriate legislation.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

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

Ratification was completed on December 6, 1865.

The amendment was subsequently ratified by California, December 19, 1865; Delaware, February 12, 1901; Florida, December 28, 1865; Iowa, January 15, 1866; Kentucky, March 18, 1866; New Jersey, January 23, 1866; Oregon, December 8, 1865; and Texas, February 18, 1870.

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

Amendment 14.

Sec. 1. [Citizens of the United States.] 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 of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Sec. 2. [Representatives—Power to reduce apportionment.] 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, 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 number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Sec. 3. [Disqualification to hold office.] 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.

Sec. 4. [Public debt not to be questioned—Debts of the Confederacy and claims not to be paid.] 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.

Sec. 5. [Power to enforce amendment.] The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

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 June 13, 1866. It was declared, in a proclamation of the Secretary of State dated July 28, 1868 to have been ratified by the legislatures of the following states: Arkansas, April 6, 1868; Connecticut, June 25, 1866; Florida, June 9, 1868; Illinois, January 15, 1867; Indiana, January 23, 1867; Iowa, March 16, 1868; Kansas,

January 11, 1867; Louisiana, July 9, 1868 (after having rejected it on February 6, 1867); Maine, January 19, 1867; Massachusetts, March 20, 1867; Michigan, January 16, 1867; Minnesota, January 16, 1867; Missouri, January 25, 1867; Nebraska, June 15, 1867; Nevada, January 22, 1867; New Hampshire, July 6, 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 Nov. 12, 1880, expressed support for the amendment); New York, January 10, 1867; North Carolina, July 4, 1868 (after having rejected it on December 14, 1866); Ohio, January 4, 1867 (subsequently the legislature rescinded its ratification on January 15, 1868); Oregon, September 19, 1866 (subsequently the legislature rescinded its ratification on October 15, 1868); Pennsylvania, February 12, 1867; Rhode Island, February 7, 1867; South Carolina, July 9, 1868 (after having rejected it on December 20, 1866); Tennessee, July 19, 1866; Vermont, October 30, 1866; Wisconsin, February 7, 1867; and West Virginia, January 16, 1867.

Ratification was completed on July 9, 1868.

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

Act June 6, 1898, ch 389, 30 Stat. 432, removed the disability imposed by Amendment 14, § 3, and incurred prior to the Act.

Amendment 15.

Sec. 1. [Right of citizens to vote—Race or color not to disqualify.] 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—

Sec. 2. [Power to enforce amendment.] The Congress shall have power to enforce this article by appropriate legislation.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The Fifteenth Amendment to the Constitution of the United States was proposed to the legislatures of the several states by the Fortieth Congress, on February 26, 1869, and was declared, in a proclamation of the Secretary of State, dated March 30, 1870, to have been ratified by the legislatures of the following states: Alabama, November 16, 1869; Arkansas, March 15, 1869; Connecticut, May 19, 1869; Florida, June 14, 1869; Georgia, February 2, 1870; Illinois, March 5, 1869; Indiana, May 14, 1869; Iowa, February 3, 1870; Kansas, January 19, 1870; Louisiana, March 5, 1869; Maine, March 11, 1869; Massachusetts, March 12, 1869; Michigan, March 8, 1869; Minnesota, January 13, 1870; Mississippi, January 17, 1870; Missouri, January 7, 1870 (such State had ratified the first section of the amendment on March 1, 1869, but failed to include the second section of the amendment); Nebraska, February 17, 1870; Nevada, March 1, 1869; New Hampshire, July 1, 1869; New York, April 14, 1869 (although the legislature of the same State passed a resolution January 5, 1870, to withdraw its consent to it, which action was rescinded on March 30, 1870); North Carolina, March 5, 1869; Ohio, January 27, 1870 (after rejecting it on April 30, 1869); Pennsylvania, March 25, 1869; Rhode Island, January 18, 1870; South Carolina, March 15, 1869; Vermont, October 20, 1869; Virginia, October 8, 1869; West Virginia, March 3, 1869; and Wisconsin, March 9, 1869.

Ratification was completed on February 3, 1870, or, if the withdrawal of ratification by New York was effective, on February 17, 1870.

The amendment was subsequently ratified by California, April 3, 1962; Delaware, February 12, 1901; Kentucky, March 18, 1976; New Jersey, February 15, 1871; Oregon, February 24, 1959; and Texas, February 18, 1870.

The amendment was approved by the Governor of Maryland, May 7, 1973; Maryland having previously rejected it on February 26, 1870.

The amendment was ratified by Kentucky on March 18, 1976; Kentucky having previously rejected it on March 12, 1869.

The amendment was ratified by Tennessee on April 8, 1997; Tennessee having previously rejected it on November 16, 1869.

Amendment 16. [Income tax.]

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived,

without apportionment among the several States, and without regard to any census or enumeration.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The Sixteenth Amendment to the Constitution of the United States was proposed to the legislatures of the several states by the Sixty-first Congress on July 12, 1909, and was declared, in a proclamation of the Secretary of State, dated February 25, 1913, to have been ratified by the legislatures of the following states: Alabama, August 10, 1909; Arizona, April 6, 1912; Arkansas, April 22, 1911; California, January 31, 1911; Colorado, February 15, 1911; Delaware, February 3, 1913; Georgia, August 3, 1910; Idaho, January 20, 1911; Illinois, March 1, 1910; Indiana, January 30, 1911; Iowa, February 24, 1911; Kansas, February 18, 1911; Kentucky, February 8, 1910; Louisiana, June 28, 1912; Maine, March 31, 1911; Maryland, April 8, 1910; Michigan, February 23, 1911; Minnesota, June 11, 1912; Mississippi, March 7, 1910; Missouri, March 16, 1911; Montana, January 30, 1911; Nebraska, February 9, 1911; Nevada, January 31, 1911; New Mexico, February 3, 1913; New York, July 12, 1911; North Carolina, February 11, 1911; North Dakota, February 17, 1911; Ohio, January 19, 1911; Oklahoma, March 10, 1910; Oregon, January 23, 1911; South Carolina, February 19, 1910; South Dakota, February 3, 1911; Tennessee, April 7, 1911; Texas, August 16, 1910; Washington, January 26, 1911; West Virginia, January 31, 1913; Wisconsin, May 26, 1911; and Wyoming, February 3, 1913.

Ratification was completed on February 3, 1913.

The amendment was subsequently ratified by New Jersey, February 5, 1913; Massachusetts, March 4, 1913; and New Hampshire, March 7, 1913.

The amendment was rejected, and not subsequently ratified, by Connecticut, Rhode Island, and Utah.

Amendment 17. Election of Senators.

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; 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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

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

Ratification was completed on April 8, 1913.

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

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

Amendment 18.

Sec. 1. [National prohibition—Intoxicating liquors.]

After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Sec. 2. [Concurrent power to enforce amendment.]

The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Sec. 3. [Time limit for adoption.] This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The Eighteenth Amendment to the Constitution of the United States was proposed to the legislatures of the several states by the Sixty-fifth Congress, on December 18, 1917, and was declared, in a proclamation of the Secretary of State, dated January 29, 1919, to have been ratified by the legislatures of the following states: Alabama, January 15, 1919; Arizona, May 24, 1918; Arkansas, January 14, 1919; California, January 13, 1919; Colorado, January 15, 1919; Delaware, March 18, 1918; Florida, December 3, 1918; Georgia, June 26, 1918; Idaho, January 8, 1919; Iowa, January 15, 1919; Kansas, January 14, 1919; Kentucky, January 14, 1918; Louisiana, August 3, 1918; Maine, January 8, 1919; Maryland, February 13, 1918; Massachusetts, April 2, 1918; Michigan, January 2, 1919; Mississippi, January 8, 1918; Missouri, January 16, 1919; Montana, February 19, 1918; Nebraska, January 16, 1919; New Hampshire, January 15, 1919; North Carolina, January 16, 1919; North Dakota, January 25, 1918; Ohio, January 7, 1919; Oklahoma, January 7, 1919; Oregon, January 15, 1919; South

Dakota, March 20, 1918; South Carolina, January 29, 1918; Tennessee, January 13, 1919; Texas, March 4, 1918; Utah, January 16, 1919; Virginia, January 11, 1918; Washington, January 13, 1919; West Virginia, January 9, 1919; and Wyoming, January 16, 1919.

Ratification was completed on January 16, 1919.

The amendment was subsequently ratified by Minnesota, January 17, 1919; Nevada, January 21, 1919; New Jersey, March 9, 1922; New Mexico, January 20, 1919; New York, January 29, 1919; Pennsylvania, February 25, 1919; Vermont, January 29, 1919; and Wisconsin, January 17, 1919.

The amendment was rejected, and not subsequently ratified, by Connecticut and Rhode Island.

This amendment was repealed by Amendment 21. The repeal was proclaimed on December 5, 1933 by Proclamation No. 2065, 48 Stat. 1720.

Amendment 19.

Sec. 1. [Woman suffrage.] The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Sec. 2. [Power to enforce amendment.] Congress shall have power to enforce this article by appropriate legislation.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The Nineteenth Amendment to the Constitution of the United States was proposed to the legislatures of the several states by the Sixty-sixth Congress, on June 4, 1919, and was declared in a proclamation of the Secretary of State, dated August 26, 1920, to have been ratified by the legislatures of the following states: Arizona, February 12, 1920; Arkansas, July 28, 1919; California, November 1, 1919; Colorado, December 15, 1919; Idaho, February 11, 1920; Illinois, June 10, 1919; Indiana, January 16, 1920; Iowa, July 2, 1919; Kansas, June 16, 1919; Kentucky, January 6, 1920; Maine, November 5, 1919; Massachusetts, June 25, 1919; Michigan, June 10, 1919; Minnesota, September 8, 1919; Missouri, July 3, 1919; Montana, August 2, 1919; Nebraska, August 2, 1919; Nevada, February 7, 1920; New Hampshire, Septem-

ber 10, 1919; New Jersey, February 9, 1920; New Mexico, February 21, 1920; New York, June 16, 1919; North Dakota, December 1, 1919; Ohio, June 16, 1919; Oklahoma, February 28, 1920; Oregon, January 13, 1920; Pennsylvania, June 24, 1919; Rhode Island, January 6, 1920; South Dakota, December 4, 1919; Tennessee, August 18, 1920; Texas, June 28, 1919; Utah, October 2, 1919; Washington, March 22, 1920; West Virginia, March 10, 1920; Wisconsin, June 10, 1919; and Wyoming, January 27, 1920.

Ratification was completed on August 18, 1920.

The amendment was subsequently ratified by Alabama, September 8, 1953; Connecticut, September 14, 1920; Delaware, March 6, 1923; Florida, May 13, 1969; Georgia, February 20, 1970; Louisiana, June 11, 1970; Maryland, March 29, 1941; Mississippi, March 22, 1984; North Carolina, May 6, 1971; South Carolina, July 1, 1969; Vermont, February 8, 1921; and Virginia, February 21, 1952.

Amendment 20.

Sec. 1. [Executive and legislative departments—Terms of elective officers] The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Sec. 2. [Annual meeting of Congress—Date.] 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.

Sec. 3. [Succession to office of President or Vice-President.] 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 President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Sec. 4. [Death of President or Vice-President—Selection of successor—Choice devolving on either house.] The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Sec. 5. [Effective date of amendment.] Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Sec. 6. [Time for ratification.] This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The Twentieth Amendment was proposed to the legislatures of the several states by the Seventy-second Congress, on March 2, 1932, and was declared in a proclamation by the Secretary of State, dated February 6, 1933, to have been ratified by the legislatures of the following states: Alabama, September 13, 1932; Arizona, January 13, 1933; Arkansas, March 17, 1932; California, January 4, 1933; Dela-

ware, January 19, 1933; Georgia, January 23, 1933; Idaho, January 21, 1933; Illinois, April 21, 1932; Indiana, August 15, 1932; Iowa, January 20, 1933; Kansas, January 16, 1933; Kentucky, March 17, 1932; Louisiana, June 22, 1932; Maine, April 1, 1932; Michigan, March 31, 1932; Minnesota, January 12, 1933; Mississippi, March 16, 1932; Missouri, January 23, 1933; Montana, January 13, 1933; Nebraska, January 13, 1933; New Jersey, March 21, 1932; New Mexico, January 21, 1933; New York, March 11, 1932; North Carolina, January 5, 1933; North Dakota, January 9, 1933; Ohio, January 23, 1933; Oklahoma, January 13, 1933; Oregon, January 16, 1933; Pennsylvania, August 11, 1932; Rhode Island, April 14, 1932; South Carolina, March 25, 1932; South Dakota, January 20, 1933; Tennessee, January 20, 1933; Texas, September 7, 1932; Utah, January 23, 1933; Virginia, March 4, 1932; Washington, January 19, 1933; West Virginia, July 30, 1932; and Wyoming, January 19, 1933.

Ratification was completed on January 23, 1933.

The amendment was subsequently ratified by Colorado, January 24, 1933; Connecticut, January 27, 1933; Florida, April 26, 1933; Maryland, March 24, 1933; Massachusetts, January 24, 1933; New Hampshire, January 31, 1933; Nevada, January 26, 1933; Vermont, February 2, 1933; and Wisconsin, January 24, 1933.

Amendment 21.

Sec. 1. [Repeal of Eighteenth Amendment.] The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Sec. 2. [Intoxicating liquors, shipment into dry territory prohibited.] The transportation or importation into any State, Territory, or Possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Sec. 3. [Ratification, time limit.] This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The Twenty-first amendment to the Constitution of the United States was submitted to the several states by the Seventy-second Congress on February 20, 1933, and was declared, in a proclamation by the Secretary of State, dated December 5, 1933, to have been ratified by the following states: Alabama, August 8, 1933; Arizona, September 5, 1933; Arkansas, August 1, 1933; California, July 24, 1933; Colorado, September 26, 1933; Connecticut, July 11, 1933; Delaware, June 24, 1933; Florida, November 14, 1933; Idaho, October 17, 1933; Illinois, July 10, 1933; Indiana, June 26, 1933; Iowa, July 10, 1933; Kentucky, November 27, 1933; Maryland, October 18, 1933; Massachusetts, June 26, 1933; Michigan, April 10, 1933; Minnesota, October 10, 1933; Missouri, August 29, 1933; Nevada, September 5, 1933; New Hampshire, July 11, 1933; New Jersey, June 1, 1933; New Mexico, November 2, 1933; New York, June 27, 1933; Ohio, December 5, 1933; Oregon, August 7, 1933; Pennsylvania, December 5, 1933; Rhode Island, May 8, 1933; Tennessee, August 11, 1933; Texas, November 24, 1933; Utah, December 5, 1933; Vermont, September 23, 1933; Virginia, October 25, 1933; Washington, October 3, 1933; West Virginia, July 25, 1933; Wisconsin, April 25, 1933; and Wyoming, May 25, 1933.

Ratification was completed on December 5, 1933.

The amendment was subsequently ratified by Maine, on December 6, 1933, and by Montana, on August 6, 1934.

The amendment was rejected, and not subsequently ratified, by South Carolina on December 4, 1933.

Amendment 22.

Sec. 1. [Terms of Office of the President.] No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by Congress, and shall

not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Sec. 2. [Ratification.] This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The Twenty-second Amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Eightieth Congress on March 21, 1947 by House Joint Resolution No. 27, and was declared by the Administrator of General Services on March 1, 1951, 16 Fed. Reg. 2019, to have been ratified by the legislatures of the following states: Arkansas, February 15, 1951; California, April 15, 1947; Colorado, April 12, 1947; Connecticut, May 21, 1947; Delaware, April 2, 1947; Georgia, February 17, 1951; Idaho, January 30, 1951; Illinois, April 3, 1947; Indiana, January 29, 1951; Iowa, April 1, 1947; Kansas, April 1, 1947; Louisiana, May 17, 1950; Maine, March 31, 1947; Michigan, March 31, 1947; Minnesota, February 27, 1951; Mississippi, February 12, 1948; Missouri, May 22, 1947; Montana, January 25, 1951; Nebraska, May 23, 1947; Nevada, February 26, 1951; New Hampshire, April 1, 1947; New Jersey, April 15, 1947; New Mexico, February 12, 1951; New York, March 9, 1948; North Dakota, February 25, 1949; Ohio, April 16, 1947; Oregon, April 3, 1947; Pennsylvania, April 29, 1947; South Dakota, January 21, 1949; Tennessee, February 20, 1951; Texas, February 22, 1951; Utah, February 26, 1951; Vermont, April 15, 1947; Virginia, January 28, 1948; Wisconsin, April 16, 1947; and Wyoming, February 12, 1951.

Ratification was completed on February 27, 1951.

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

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

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

Amendment 23.

Sec. 1. [Representation in the electoral college to the District of Columbia.] The District constituting the seat of Government of the United States shall appoint in such manner as 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.

Sec. 2. [Enforcement.] The Congress shall have power to enforce this article by appropriate legislation.

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

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The Twenty-third Amendment to the Constitution of the United States was proposed to the several states by the Eighty-sixth Congress on June 17, 1960, and was declared by the Administrator of General Services on April 3, 1961, 26 Fed. Reg. 2808, to have been ratified by the legislatures of the following States: Alaska, February 10, 1961; Arizona, March 10, 1961; California, January 19, 1961; Colorado, February 8, 1961; Connecticut, March 9, 1961; Delaware, February 20, 1961; Hawaii, June 23, 1969; Idaho, January 31, 1961; Illinois, March 14, 1961; Indiana, March 3, 1961; Iowa, March 16, 1961; Kansas, March 29, 1961; Maine, January 31, 1961; Maryland, January 30, 1961; Massachusetts, August 22, 1960; Michigan, March 8, 1961;

Minnesota, January 31, 1961; Missouri, March 20, 1961; Montana, February 6, 1961; Nebraska, March 15, 1961; Nevada, February 2, 1961; New Jersey, December 19, 1960; New Mexico, February 1, 1961; New York, January 17, 1961; North Dakota, March 3, 1961; Ohio, March 29, 1961; Oklahoma, March 21, 1961; Oregon, January 27, 1961; Pennsylvania, February 28, 1961; Rhode Island, March 22, 1961; South Dakota, February 6, 1961; Tennessee, March 6, 1961; Utah, February 21, 1961; Vermont, March 15, 1961; Washington, February 9, 1961; West Virginia, February 9, 1961; Wisconsin, February 21, 1961; and Wyoming, February 13, 1961.

Ratification was completed on March 29, 1961.

The amendment was subsequently ratified by New Hampshire on March 30, 1961¹ (when that State annulled and then repeated its ratification of March 29, 1961); Alabama, April 16, 2002.

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

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

Amendment 24.

Sec. 1. [Qualification of electors.] 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 poll tax or other tax.

Sec. 2. [Enforcement.] The Congress shall have power to enforce this article by appropriate legislation.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The Twenty-fourth Amendment to the Constitution of the United States 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 Feb. 4, 1964, 29 Fed. Reg. 1715, to have been ratified by the legislatures of the

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

Ratification was completed on January 23, 1964.

The amendment was subsequently ratified by Virginia on February 25, 1977.

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

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

Publication of the certifying statement of the Administrator of General Services that the amendment had become valid was made on Feb. 5, 1964, Fed. Reg. Doc. 64-1229, 29 Fed. Reg. 1715.

Amendment 25.

Sec. 1. [Succession to office of President.] In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Sec. 2. [Succession to office of Vice President.]

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.

Sec. 3. [Declaration by President of inability to serve.] 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.

Sec. 4. [Declaration by others of President's inability to serve.] 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 [departments] 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.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The bracketed word “departments” was inserted in the concluding matter as the word probably intended.

The Twenty-fifth Amendment to the Constitution of the United States 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, 32 Fed. Reg. 3287, to have been ratified by the legislatures of the following states: Alaska, February 18, 1966; Arizona, September 22, 1965; Arkansas, November 4, 1965; California, October 21, 1965; Colorado, February 3, 1966; Delaware, December 7, 1965; Hawaii, March 3, 1966; Idaho, March 2, 1966; Indiana, October 20, 1965; Iowa, January 26, 1967; Kansas, February 8, 1966; Kentucky, September 15, 1965; Louisiana, July 5, 1966; Maine, January 24, 1966; Maryland, March 23, 1966; Massachusetts, August 9, 1965; Michigan, October 5, 1965; Minnesota, February 10, 1967; Mississippi, March 10, 1966; Missouri, March 30, 1966; Nebraska, July 12, 1965; Nevada, February 10, 1967; New Hampshire, June 13, 1966; New Jersey, November 29, 1965; New Mexico, February 3, 1966; New York, March 14, 1966; Oklahoma, July 16, 1965; Oregon, February 2, 1967; Pennsylvania, August 18, 1965; Rhode Island, January 28, 1966; Tennessee, January 12, 1967; Utah, January 17, 1966; Vermont, February 10, 1966; Virginia, March 8, 1966; Washington, January 26, 1967; West Virginia, January 20, 1966; Wisconsin, July 13, 1965; and Wyoming, January 25, 1967.

Ratification was completed on February 10, 1967.

The amendment was subsequently ratified by Alabama, March 14, 1967; Connecticut, February 14, 1967; Florida, May 25, 1967; Illinois, March 22, 1967; Montana, February 15, 1967; North Carolina, March 22, 1967; Ohio, March 7, 1967; South Dakota, March 6, 1967; and Texas, April 25, 1967.

Publication of the certifying statement of the Administrator of General Services that the amendment had become valid was made on Feb. 25, 1967, Fed. Reg. Doc 67-3309, 32 Fed. Reg. 3287.

Amendment 26.

Sec. 1. [Eighteen year old voting rights.] 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.

Sec. 2. [Enforcement.] The Congress shall have power to enforce this article by appropriate legislation.

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The Twenty-sixth Amendment to the Constitution of the United States 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, 36 Fed. Reg. 12725, to have been ratified by the legislatures of the following states: Alabama, June 30, 1971; Alaska, April 8, 1971; Arizona, May 14, 1971; Arkansas, March 30, 1971; California, April 19, 1971; Colorado, April 27, 1971; Connecticut, March 23, 1971; Delaware, March 23, 1971; Hawaii, March 24, 1971; Idaho, March 30, 1971; Illinois, June 29, 1971; Indiana, April 8, 1971; Iowa, March 30, 1971; Kansas, April 7, 1971; Louisiana, April 17, 1971; Maine, April 9, 1971; Maryland, April 8, 1971; Massachusetts, Michigan, April 7, 1971; Minnesota, March 23, 1971; Missouri, June 14, 1971; Montana, March 29, 1971; Nebraska, April 2, 1971; New Hampshire, May 13, 1971; New Jersey, April 3, 1971; New York, June 2, 1971; North Carolina, July 1, 1971; Ohio, June 30, 1971; Oklahoma, July 1, 1971; Oregon, June 4, 1971; Pennsylvania, April 27, 1971; Rhode Island, May 27, 1971; South Carolina, April 28, 1971; Tennessee, March 23, 1971; Texas, April 27, 1971; Vermont, April 16, 1971; Washington, March 23, 1971; West Virginia, April 28, 1971; and Wisconsin, June 22, 1971.

Ratification was completed on July 1, 1971.

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

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

Amendment 27. [Compensation of Members of Congress.]

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

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The Twenty-seventh Amendment to the Constitution of the United States was submitted to the several states pursuant to a resolution passed by the first Congress of the United States, at its first session, on Sept. 25, 1789, and was certified by the Archivist of the United States on May 18, 1992, 57 Fed. Reg. 21187, to have been ratified by the legislatures of the following states: Alabama, May 5, 1992; Alaska, May 6, 1989; Arizona, April 3, 1985; Arkansas, March 6, 1987; Colorado, April 22, 1984; Connecticut, May 13, 1987; Delaware, January 28, 1790; Florida, May 31, 1990; Georgia, February 2, 1988; Idaho, March 23, 1989; Indiana, February 24, 1986; Iowa, February 9, 1989; Kansas, April 5, 1990; Louisiana, July 7, 1988; Maine, April 27, 1983; Maryland, December 19, 1789; Michigan, May 7, 1992; Minnesota, May 22, 1989; Missouri, May 5, 1992; Montana, March 17, 1987; Nevada, April 26, 1989; New Hampshire, March 7, 1985; New Jersey, May 7, 1992; New Mexico, February 14, 1986; North Carolina, December 22, 1789; North Dakota, March 25, 1991; Ohio, May 6, 1873; Oklahoma, July 10, 1985; Oregon, May 19, 1989; South Carolina, January 19, 1790; South Dakota, February 21, 1985; Tennessee, May 23, 1985; Texas, May 25, 1989; Utah, February 25, 1986; Vermont, November 3, 1791; Virginia, December 15, 1791; West Virginia, March 10, 1988; Wisconsin, July 15, 1987; and Wyoming, March 6, 1978.

The Amendment was subsequently ratified by California, Hawaii, Kentucky, and Rhode Island.

Ratification was completed on May 7, 1992.

The amendment was subsequently ratified by California, June 26, 1992; Illinois, May 12, 1992; and Rhode Island, June 10, 1993; Hawaii, April 29, 1994; Washington, April 6, 1995; Kentucky, March 21, 1996.

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