AP U.S. History

Unit 3: The Critical Period

Constitution Worksheet

PREAMBLE: \*

1. What are the purposes of the new government?

* **form a more perfect union**
* **establish justice**
* **insure domestic tranquility**
* **provide for the common defense**
* **promote the general welfare**
* **secure the blessings of liberty**

ARTICLE I: The Legislative Branch:

1. Name the two branches of the legislature. What are they jointly called? What qualifications to be a member of each?

* **House of Representatives & Senate**
* **Congress of the United States**
* **HoR: 25 years old, 7 years a citizen, inhabitant of the State elected from**
* **Senate: 30 years old, 9 years a citizen, inhabitant of the State elected from**

2. Who is the chief officer of the House of Representatives? Of the Senate?

* **HoR: the Speaker, as chosen by the Representatives**
* **Senate: the Vice President (doesn’t vote unless evenly divided); backup, President *pro tempore***

3. Describe the impeachment process.

* **Impeachment is the action of charging with an offense (treason, bribery, high crimes & misdemeanors)**
	+ **The House brings the charges**
	+ **The Senate conducts the trial**
	+ **The Chief Justice of the Supreme Court presides over the trial**
	+ **2/3 majority needs to convict of crimes**

4. How often must Congress meet? Why?

* **At least once every year**
* **New members are elected and must be seated**

5. What is a quorum? What are the Rules of Proceedings? The Journal of Proceedings?

* **Minimum number of people needed to conduct business; simple majority constitutes**
* **Determine how business is to be conducted**
* **Says what they do; can include voting record on bills**

6. What is a revenue bill? What is different about this bill?

* **Bill requiring taxation, tariffs**
* **Must originate in the HoR; Senate can amend revenue bills**

7. Describe the skeletal outline of passing a bill into law?

* **Can come from House or Senate; must be approved by majority of both; goes to the President for approval**
* **If President doesn’t approve, he sends back to Congress with objections**
* **In order to get around President’s disapproval, law/bill must be passed, again, by 2/3 majority of b**
* **both House & Senate**

8. What are the two kinds of vetoes?

* **Sending unsigned bill back to Congress with reasons for disapproving**
* **Pocket veto: the President fails to sign a bill within the ten-day time period before Congress adjourns; President isn’t compelled to give reason for not signing**

9. What were some of the powers exclusively held by Congress?

* **Lay and collect taxes, etc. for the common defense and general welfare**
* **Borrow $ on behalf of U.S.**
* **Regulate commerce with foreign nations**
* **Regulate commerce amongst the states**
* **Laws re. naturalization**
* **Coin & regulate $**
* **Post office; routes**
* **Patents**
* **Define and punish piracies**
* **Declare war**
* **Raise & support armies**
* **Provide and maintain a navy**
* **Provide and maintain and call a militia**
* **Legislate over capital**
* **Make laws necessary and proper to execute the above powers**

10. Pay special attention to the last clause of Section 8 (clause 18)—the elastic clause. How does this function?

* **Allows the government to do things not expressly stated if the thing they want to do is necessary to carry out their enumerated powers**

11. Section 9 includes some of the basic civil liberty protections in the Constitution. What are they?

* **Habeas corpus can’t be suspended unless public safety depends on it**
* **No ex post facto laws**
* **No direct taxation**
* **No taxes on exports from States**
* **States can’t charge each other fees for travelling from state to state**
* **No $ taken from treasury unless stipulate by appropriations law**
* **No titles of nobility granted**

12. Why are titles of nobility prohibited?

* **Wanted to have nothing to do with British system of monarchy; all citizens are created equally**

13. How do the election procedures differ for the House and the Senate?

* **House: elected every two years; serve two year terms**
* **Senate: staggered six year terms**

ARTICLE II: The Executive Branch:

1. Know the term of office for President and the qualifications for the office.

* **4 year term, natural born citizen, 35 years old**

2. How is the President elected?

* **by the electoral college; state’s electors go to the candidate who wins the popular vote for that state; need plurality of electors to win**

3. How can a President be removed from office? List the reasons.

* **Conviction of treason, bribery, high crimes and misdemeanors**

4. What are the Constitutional duties of the President?

* **Commander in chief of the military**
* **Power to grant reprieves and pardons for offenses**
* **Power to make treaties (with 2/3 concurrence of Senate)**
* **Nominate ambassadors**
* **Nominate judges of the Supreme Court**
* **Power to fill vacancies in the Senate**
* **Give State of the Union to Congress**

5. What power does the President share with the Senate?

* **Making foreign treaties**

ARTICLE III: The Judicial Branch:

1. How is the judicial power distributed?

* **Between Supreme Court at top and federal district courts under the SC**

2. How long do federal judges serve? Why?

* **For life**
* **So they won’t be affected by political influences/whims**

3. What are the exclusive powers (original jurisdiction) of the Supreme Court?

* **Cases involving ambassadors, public official and those in which a State is a party (against the federal gov’t.)**

4. What are the appellate powers of the Supreme Court?

* **All other matters not noted as exclusive powers**

5. What is treason?

* **Levying war against the United States or giving the enemies of the United States aid and comfort**

ARTICLE IV:

1. What are the guarantees to citizens of every state?

* **All the privileges and immunities of citizens in the several states: must allow citizens from a different state the rights of a state they’re visiting**

2. How are new states to be admitted?

* **By Congress**
* **Not within the existing jurisdiction of any other state**
* **Not the junction of any existing states**
* **Congress has power to make rules regarding the territory petitioning for statehood**

3. What is a republican form of government?

* **Non-monarch executive, limited by Constitution and representative democracy**

ARTICLE V: The Amending Process:

1. Describe in detail methods by which the Constitution can be amended. How do these illustrate the principle of federalism?

* **2/3 of both house can propose amendments**
* **2/3 of state legislatures can call convention to propose amendments**
* **¾ of state legislatures must ratify amendments for them to pass**

ARTICLE VI:

1. What is the supreme law of the land?

* **The Constitution**
* **Laws related to upholding the Constitution**
* **Treaties lawfully made by the U.S.**

2. Do you see cause for state-central government conflict in this article? How?

* **When there is disagreement over the powers of federal and state governments**

ARTICLE VII: The Ratification Process:

1. How is the Constitution ratified?

* **By the vote of 9 states**

VOCABULARY FOR THE CONSTITUTION:

♦ Enumerated powers: **powers specifically delegated to the federal government in Article 1, Section 8**

♦ Delegated powers: **same as enumerated**

♦ Implied powers: **those necessary to carry out the tasks/powers expressly delegated to the government; “necessary and proper”**

♦ Advice and consent: **refers to the role of the Senate in confirming presidential appointments and ratifying treaties**

♦ Writ of habeas corpus: **can’t be held in jail/detained without charges against**

♦ Bill of attainder: **law that singles out individual or group for punishment without trial**

♦ Naturalization: **granting citizenship**

♦ Pocket veto: **President not returning a bill to Congress during the 10 day time from before Congress adjourns**

♦ Ex post facto: **after the fact; retroactive law**

THE FIRST 10 AMENDMENTS: THE BILL OF RIGHTS:

* First: **no gov’t est. religion; freedom of religion, speech, press, right of the people to peaceably assemble, petition the gov’t for redress of grievances**
* Second: **right of the people to keep and bear arms**
* Third: **no forced quartering of soldiers in time of peace**
* Fourth: **no unreasonable searches and seizures; no warrants without probable cause**
* Fifth: **can’t be detained for a capital crime unless indicted by grand jury; no double jeopardy; don’t have to testify against yourself; can’t be deprived of due process of law; no private property taken for public use without just compensation**
* Sixth: **right to speedy trial, impartial jury of peers, informed of accusation, confronting witness testifying against you, provide witnesses of your own, assistance of lawyer**
* Seventh: **trial by jury**
* Eighth: **no excessive bail or fines, no cruel or unusual punishment**
* Ninth: **rights not enumerated in the Constitution ARE NOT denied to the people**
* Tenth: **powers not delegated to the fed gov’t are reserved to the States or the people**

VOCABULARY FOR THE FIRST 10 AMENDMENTS:

♦ Due process: **(5)) gov’t can’t abuse the rights of citizens when it comes to citizens be charged with crime**

♦ Indictment: **(5) being formally charged with a crime**

♦ Grand jury: **(5) determine whether there is enough evidence for a trial**

♦ Jeopardy: **(5) can’t be charged with the same crime twice**

♦ Reserved powers: **(10) powers not delegated to the federal government stay in the hands of the States or the people**

