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CONSTITUTION OF THE UNITED STATES OF AMERICA - 1787 01/03/2007

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CONSTITUTION OF THE UNITED STATES OF AMERICA - 1787(!1)

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.

ARTICLE. I.

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

(2)**No** Person **shall** be a Representative who **shall** not have attained to the Age of twenty five Years, and been seven Years a Citizen of the

United States, and who **shall** not, when elected, be an Inhabitant of that State **in** which he **shall** be chosen.

(3) 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. (!2) 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.

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

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

SECTION.3. (1) The Senate of the United States **shall** be composed of two Senators **from** each State, chosen by the Legislature thereof, (!3) for six Years; and each Senator **shall** have one Vote.

(2) 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.(!4)

(3) **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.

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

(5) 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.

(6) 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.

(7) 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. (1)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.

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

SECTION. 5. (1)Each House **shall** be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each **shall** constitute a Quorum to do Business; **but** a smaller Number may adjourn **from** day to day, and may be authorized to compel the Attendance of absent Members, **in** such Manner, and under such Penalties as each House may provide.

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

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

(4)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. (1)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. \6\ N They *shall in* all Cases, except Treason, Felony and Breach of the Peace, be privileged *from* Arrest during their Attendance at the Session of their respective Houses, and *in* going to and returning *from* the same; and for any Speech or Debate *in* either House, they *shall* not be questioned *in* any other Place.

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

SECTION. 7. (1) All Bills for raising Revenue *shall* originate *in* the House of Representatives; *but* the Senate may propose or concur with Amendments as on other Bills.

(2) Every Bill which *shall* have passed the House of Representatives and the Senate, *shall*, before it become a *Law*, be presented to the President of the United States; If he approve he *shall* sign it, *but* if not he *shall* return it, with his Objections to that House *in* which it *shall* have originated, who *shall* enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House *shall* agree to pass the Bill, it *shall* be sent, together with the Objections, to the other House, by which it *shall* likewise be reconsidered, and if approved by two thirds of that House, it *shall* become a *Law*. *But in* all such Cases the Votes of both Houses *shall* be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill *shall* be entered on the Journal of each

House respectively. If any Bill **shall** not be returned by the President within ten Days (Sundays excepted) after it **shall** have been presented to him, the Same **shall** be a **Law**, **in** like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, **in** which Case it **shall** not be a **Law**.

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

SECTION. 8. (1)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;

(2)To borrow **Money** on the credit of the United States;

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

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

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

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

(7)To establish Post Offices and post Roads;

(8)To promote the Progress of Science and useful Arts, by securing for

limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

(9)To constitute Tribunals inferior to the supreme Court;

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

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

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

(13)To provide and maintain a Navy;

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

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

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

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

(18)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.

SECTION. 9. (1)The Migration or Importation of such Persons as any of the States now existing *shall* think proper to admit, *shall* not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, *but* a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

(2)The Privilege of the Writ of Habeas Corpus *shall* not be suspended, unless when *in* Cases of Rebellion or Invasion the public Safety may require it.

(3)*No* Bill of Attainder or ex post facto *Law shall* be passed.

(4)*No* Capitation, or other direct, Tax *shall* be laid, unless *in* Proportion to the Census or Enumeration herein before directed to be taken. (!7)

(5)*No* Tax or Duty *shall* be laid on Articles exported *from* any State.

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

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

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

(2)**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.

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

## ARTICLE. II.

SECTION. 1. (1)The executive Power **shall** be vested **in** a President of the United States of America. He **shall** hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

(2)Each State **shall** appoint, **in** such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled **in** the Congress: **but no** Senator or Representative, or Person holding an Office of Trust or Profit under the United States, **shall** be appointed an Elector.

(3)The Electors **shall** meet **in** their respective States, and vote by Ballot for two Persons, of whom one at least **shall** not be an Inhabitant of the same State with themselves. And they **shall** make a List of all the Persons voted for, and of the Number of Votes for each; which List they **shall** sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate **shall, in** the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes **shall** then be counted. The Person having the greatest Number of Votes **shall** be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives **shall** immediately chuse by Ballot one of them for President; and if **no** Person have a Majority, then **from** the five highest on the List the said House **shall in** like Manner chuse the President. **But in** chusing the President, the Votes **shall** be taken by States, the Representation **from** each State having one Vote; A quorum for this Purpose **shall** consist of a Member or Members **from** two thirds of the States, and a Majority of all the States **shall** be necessary to a Choice. **In** every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors **shall** be the Vice President. **But** if there should remain two or more who have equal Votes, the Senate **shall** chuse **from** them by Ballot the Vice President.(!8)

(4)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.

(5)**No** Person except a natural born Citizen, or a Citizen of the United

States, at the time of the Adoption of this Constitution, **shall** be eligible to the Office of President; neither **shall** any Person be eligible to that Office who **shall** not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

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

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

(8) 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. (1) 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.

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

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

SECTION. 3. He **shall from** time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he **shall** judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and **in** Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he **shall** think proper; he **shall** receive Ambassadors and other public Ministers; he **shall** take Care that the **Laws** be faithfully executed, and **shall** Commission all the Officers of the United States.

SECTION. 4. 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.

SECTION. 1. 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. (1)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;(!10) - 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.

(2)*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.

(3)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. (1) 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.

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

#### ARTICLE. IV.

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

SECTION. 2. (1) The Citizens of each State **shall** be entitled to all Privileges and Immunities of Citizens **in** the several States.

(2) 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.

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

SECTION. 3. (1) 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.

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

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

#### ARTICLE. V.

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.

(1)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.

(2)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.

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

ARTICLE. VII.

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

DONE **in** Convention by the Unanimous Consent of the States present the

Seventeenth Day of September **in** the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth **In** witness whereof We have hereunto

subscribed our Names,

Go. WASHINGTON - Presid'.

and deputy *from* Virginia

[Signed also by the deputies of twelve States.]

New Hampshire

John Langdon

Nicholas Gilman

Massachusetts

Nathaniel Gorham

Rufus King

Connecticut

WM. Saml. Johnson

Roger Sherman

New York

Alexander Hamilton

New Jersey

Wil: Livingston

David Brearley.

WM. Paterson.

Jona: Dayton

Pennsylvania

B Franklin

Thomas Mifflin

RobT Morris

Geo. Clymer

ThoS. FitzSimons

Jared Ingersoll

James Wilson.

Gouv Morris

## Delaware

Geo: Read

Gunning Bedford jun

John Dickinson

Richard Bassett

Jaco: Broom

## Maryland

James McHenry

Dan of St Thos. Jenifer

DanL Carroll.

## Virginia

John Blair -

James Madison Jr.

## North Carolina

WM Blount

RichD. Dobbs Spaight.

Hu Williamson

## South Carolina

J. Rutledge

Charles Cotesworth Pinckney

Charles Pinckney

Pierce Butler.

## Georgia

William Few

Abr Baldwin

Attest William Jackson Secretary

-FOOTNOTE-

(!1)This text of the Constitution follows the engrossed copy signed by Gen. Washington and the deputies **from** 12 States. The small superior figures preceding the paragraphs designate clauses, and were not **in** the original and have **no** reference to footnotes.

**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 resolutions 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 operations 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 25, 1788; and New York, July 26, 1788.

The President informed Congress, on the 28th of January, 1790, that North Carolina had ratified the Constitution November 21, 1789; and he informed Congress on the 1st 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.''

(!2)The part of this clause relating to the mode of apportionment of representatives among the several States has been affected by section 2 of amendment XIV, and as to taxes on incomes without apportionment by amendment XVI.

(!3)This clause has been affected by clause 1 of amendment XVII.

(!4)This clause has been affected by clause 2 of amendment XVIII.

(!5)This clause has been affected by amendment XX.

(!6)This clause has been affected by amendment XXVII.

(!7)This clause has been affected by amendment XVI.

(!8)This clause has been superseded by amendment XII.

(!9)This clause has been affected by amendment XXV.

(!10)This clause has been affected by amendment XI.

(!11)This clause has been affected by amendment XIII.

-MISC2-

ARTICLES *IN* ADDITION TO, AND AMENDMENT OF, THE CONSTITUTION OF THE

UNITED STATES OF AMERICA, PROPOSED BY CONGRESS, AND RATIFIED BY  
THE LEGISLATURES OF THE SEVERAL STATES, PURSUANT TO THE FIFTH

ARTICLE OF THE ORIGINAL CONSTITUTION(!12)

ARTICLE [I.](!13)

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.

ARTICLE [II.]

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.

ARTICLE [III.]

**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**.

ARTICLE [IV.]

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.

ARTICLE [V.]

**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.

ARTICLE [VI.]

*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.

ARTICLE [VII.]

*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*.

ARTICLE [VIII.]

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

ARTICLE [IX.]

The enumeration *in* the Constitution, of certain rights, *shall* not be construed to deny or disparage others retained by the people.

ARTICLE [X.]

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.

[ARTICLE XI.]

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.

PROPOSAL AND RATIFICATION

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.

[ARTICLE XII.]

The Electors **shall** meet **in** their respective states, and vote by ballot for President and Vice-President, one of whom, at least, **shall** not be an inhabitant of the same state with themselves; they **shall** name **in** their ballots the person voted for as President, and **in** distinct ballots the person voted for as Vice-President, and they **shall** make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they **shall** sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;\_The President of the Senate **shall**, **in** the presence of the Senate and House of Representatives, open all the certificates and the votes

*shall* then be counted;\_The person having the greatest number of votes for President, *shall* be the President, if such number be a majority of the whole number of Electors appointed; and if *no* person have such majority, then *from* the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives *shall* choose immediately, by ballot, the President. *But in* choosing the President, the votes *shall* be taken by states, the representation *from* each state having one vote; a quorum for this purpose *shall* consist of a member or members *from* two-thirds of the states, and a majority of all the states *shall* be necessary to a choice. And if the House of Representatives *shall* not choose a President whenever the right of choice *shall* devolve upon them, before the fourth day of March next following, then the Vice-President *shall* act as President, as *in* the case of the death or other constitutional disability of the President.(!14) The person having the greatest number of votes as Vice-President, *shall* be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if *no* person have a majority, then *from* the two highest numbers on the list, the Senate *shall* choose the Vice-President; a quorum for the purpose *shall* consist of two-thirds of the whole number of Senators, and a majority of the whole number *shall* be necessary to a choice. *But no* person constitutionally ineligible to the office of President *shall* be eligible to that of Vice-President of the United States.

#### PROPOSAL AND RATIFICATION

The twelfth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the 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.

#### ARTICLE XIII.

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

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

#### PROPOSAL AND RATIFICATION

The thirteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Thirty-eighth Congress, on the 31st day of January, 1865, and was declared, *in* a proclamation of the Secretary of State, dated the 18th of December, 1865, to have been ratified by the legislatures of twenty-seven of the thirty-six States. The dates of ratification were: Illinois, February 1,

1865; Rhode Island, February 2, 1865; Michigan, February 2, 1865; Maryland, February 3, 1865; New York, February 3, 1865; Pennsylvania, February 3, 1865; West Virginia, February 3, 1865; Missouri, February 6, 1865; Maine, February 7, 1865; Kansas, February 7, 1865; Massachusetts, February 7, 1865; Virginia, February 9, 1865; Ohio, February 10, 1865; Indiana, February 13, 1865; Nevada, February 16, 1865; Louisiana, February 17, 1865; Minnesota, February 23, 1865; Wisconsin, February 24, 1865; Vermont, March 9, 1865; Tennessee, April 7, 1865; Arkansas, April 14, 1865; Connecticut, May 4, 1865; New Hampshire, July 1, 1865; South Carolina, November 13, 1865; Alabama, December 2, 1865; North Carolina, December 4, 1865; Georgia, December 6, 1865.

Ratification was completed on December 6, 1865.

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

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

#### ARTICLE XIV.

Section 1. All persons born or naturalized *in* the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. **No** State *shall* make or enforce any **law** which *shall* abridge the privileges or immunities of citizens of the

United States; nor **shall** any State deprive any person of life, liberty, or property, without due process of **law**; nor deny to any person within its jurisdiction the equal protection of the **laws**.

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

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

Section 4. The validity of the public debt of the United States, authorized by **law**, including debts incurred for payment of pensions and

bounties for services *in* suppressing insurrection or rebellion, *shall* not be questioned. *But* neither the United States nor any State *shall* assume or pay any debt or obligation incurred *in* aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; *but* all such debts, obligations and claims *shall* be held illegal and void.

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

#### PROPOSAL AND RATIFICATION

The fourteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Thirty-ninth Congress, on the 13th of June, 1866. It was declared, *in* a certificate of the Secretary of State dated July 28, 1868 to have been ratified by the legislatures of 28 of the 37 States. The dates of ratification were: Connecticut, June 25, 1866; New Hampshire, July 6, 1866; Tennessee, July 19, 1866; New Jersey, September 11, 1866 (subsequently the legislature rescinded its ratification, and on March 24, 1868, readopted its resolution of rescission over the Governor's veto, and on Nov. 12, 1880, expressed support for the amendment); Oregon, September 19, 1866 (and rescinded its ratification on October 16, 1868, *but* reratified the amendment on April 25, 1973); Vermont, October 30, 1866; Ohio, January 11, 1867 (and rescinded its ratification on January 15, 1868, *but* reratified the amendment on March 12, 2003); New York, January 10, 1867; Kansas, January 11, 1867; Illinois, January 15, 1867; West Virginia, January 16, 1867; Michigan, January 16, 1867; Minnesota, January 16, 1867; Maine, January 19, 1867; Nevada, January 22, 1867; Indiana, January 23, 1867; Missouri, January 25, 1867; Rhode Island, February 7,

1867; Wisconsin, February 7, 1867; Pennsylvania, February 12, 1867; Massachusetts, March 20, 1867; Nebraska, June 15, 1867; Iowa, March 16, 1868; Arkansas, April 6, 1868; Florida, June 9, 1868; North Carolina, July 4, 1868 (after having rejected it on December 14, 1866); Louisiana, July 9, 1868 (after having rejected it on February 6, 1867); South Carolina, July 9, 1868 (after having rejected it on December 20, 1866).

Ratification was completed on July 9, 1868.

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

#### ARTICLE XV.

Section 1. The right of citizens of the United States to vote **shall** not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

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

#### PROPOSAL AND RATIFICATION

The fifteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Fortieth Congress, on the 26th of February, 1869, and was declared, **in** a proclamation of the Secretary of State, dated March 30, 1870, to have been ratified by the legislatures of twenty-nine of the thirty-seven

States. The dates of ratification were: Nevada, March 1, 1869; West Virginia, March 3, 1869; Illinois, March 5, 1869; Louisiana, March 5, 1869; North Carolina, March 5, 1869; Michigan, March 8, 1869; Wisconsin, March 9, 1869; Maine, March 11, 1869; Massachusetts, March 12, 1869; Arkansas, March 15, 1869; South Carolina, March 15, 1869; Pennsylvania, March 25, 1869; New York, April 14, 1869 (and the legislature of the same State passed a resolution January 5, 1870, to withdraw its consent to it, which action it rescinded on March 30, 1870); Indiana, May 14, 1869; Connecticut, May 19, 1869; Florida, June 14, 1869; New Hampshire, July 1, 1869; Virginia, October 8, 1869; Vermont, October 20, 1869; Missouri, January 7, 1870; Minnesota, January 13, 1870; Mississippi, January 17, 1870; Rhode Island, January 18, 1870; Kansas, January 19, 1870; Ohio, January 27, 1870 (after having rejected it on April 30, 1869); Georgia, February 2, 1870; Iowa, February 3, 1870; Tennessee, April 2, 1870 (after having rejected it on November 16, 1869).

Ratification was completed on February 3, 1870, unless the withdrawal of ratification by New York was effective; *in* which event ratification was completed on February 17, 1870, when Nebraska ratified.

The amendment was subsequently ratified by Texas, February 18, 1870; New Jersey, February 15, 1871 (after having rejected it on February 7, 1870); Delaware, February 12, 1901 (after having rejected it on March 18, 1869); Oregon, February 24, 1959; California, April 3, 1962 (after having rejected it on January 28, 1870); Kentucky, March 18, 1976 (after having rejected it on March 12, 1869).

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

ARTICLE XVI.

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.

#### PROPOSAL AND RATIFICATION

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 the 12th of July, 1909, and was declared, *in* a proclamation of the Secretary of State, dated the 25th of February, 1913, to have been ratified by 36 of the 48 States. The dates of ratification were: Alabama, August 10, 1909; Kentucky, February 8, 1910; South Carolina, February 19, 1910; Illinois, March 1, 1910; Mississippi, March 7, 1910; Oklahoma, March 10, 1910; Maryland, April 8, 1910; Georgia, August 3, 1910; Texas, August 16, 1910; Ohio, January 19, 1911; Idaho, January 20, 1911; Oregon, January 23, 1911; Washington, January 26, 1911; Montana, January 30, 1911; Indiana, January 30, 1911; California, January 31, 1911; Nevada, January 31, 1911; South Dakota, February 3, 1911; Nebraska, February 9, 1911; North Carolina, February 11, 1911; Colorado, February 15, 1911; North Dakota, February 17, 1911; Kansas, February 18, 1911; Michigan, February 23, 1911; Iowa, February 24, 1911; Missouri, March 16, 1911; Maine, March 31, 1911; Tennessee, April 7, 1911; Arkansas, April 22, 1911 (after having rejected it earlier); Wisconsin, May 26, 1911; New York, July 12, 1911; Arizona, April 6, 1912; Minnesota, June 11, 1912; Louisiana, June 28, 1912; West Virginia, January 31, 1913; New Mexico, February 3, 1913.

Ratification was completed on February 3, 1913.

The amendment was subsequently ratified by Massachusetts, March 4, 1913; New Hampshire, March 7, 1913 (after having rejected it on March 2,

1911).

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

[ARTICLE XVII.]

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.

PROPOSAL AND RATIFICATION

The seventeenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Sixty-second Congress on the 13th of May, 1912, and was declared, *in* a proclamation of the Secretary of State, dated the 31st of May, 1913, to have been ratified by the legislatures of 36 of the 48 States. The dates of ratification were: Massachusetts, May 22, 1912; Arizona, June 3, 1912; Minnesota, June 10, 1912; New York, January 15, 1913; Kansas, January 17, 1913; Oregon, January 23, 1913; North Carolina, January 25, 1913; California, January 28, 1913; Michigan, January 28, 1913; Iowa, January

30, 1913; Montana, January 30, 1913; Idaho, January 31, 1913; West Virginia, February 4, 1913; Colorado, February 5, 1913; Nevada, February 6, 1913; Texas, February 7, 1913; Washington, February 7, 1913; Wyoming, February 8, 1913; Arkansas, February 11, 1913; Maine, February 11, 1913; Illinois, February 13, 1913; North Dakota, February 14, 1913; Wisconsin, February 18, 1913; Indiana, February 19, 1913; New Hampshire, February 19, 1913; Vermont, February 19, 1913; South Dakota, February 19, 1913; Oklahoma, February 24, 1913; Ohio, February 25, 1913; Missouri, March 7, 1913; New Mexico, March 13, 1913; Nebraska, March 14, 1913; New Jersey, March 17, 1913; Tennessee, April 1, 1913; Pennsylvania, April 2, 1913; Connecticut, April 8, 1913.

Ratification was completed on April 8, 1913.

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

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

ARTICLE [XVIII].(!16)

Section 1. 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. The Congress and the several States **shall** have concurrent power to enforce this article by **appropriate** legislation.

Sec. 3. 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.

## PROPOSAL AND RATIFICATION

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 the 18th of December, 1917, and was declared, *in* a proclamation of the Secretary of State, dated the 29th of January, 1919, to have been ratified by the legislatures of 36 of the 48 States. The dates of ratification were: Mississippi, January 8, 1918; Virginia, January 11, 1918; Kentucky, January 14, 1918; North Dakota, January 25, 1918; South Carolina, January 29, 1918; Maryland, February 13, 1918; Montana, February 19, 1918; Texas, March 4, 1918; Delaware, March 18, 1918; South Dakota, March 20, 1918; Massachusetts, April 2, 1918; Arizona, May 24, 1918; Georgia, June 26, 1918; Louisiana, August 3, 1918; Florida, December 3, 1918; Michigan, January 2, 1919; Ohio, January 7, 1919; Oklahoma, January 7, 1919; Idaho, January 8, 1919; Maine, January 8, 1919; West Virginia, January 9, 1919; California, January 13, 1919; Tennessee, January 13, 1919; Washington, January 13, 1919; Arkansas, January 14, 1919; Kansas, January 14, 1919; Alabama, January 15, 1919; Colorado, January 15, 1919; Iowa, January 15, 1919; New Hampshire, January 15, 1919; Oregon, January 15, 1919; Nebraska, January 16, 1919; North Carolina, January 16, 1919; Utah, January 16, 1919; Missouri, January 16, 1919; Wyoming, January 16, 1919.

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

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

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

ARTICLE [XIX].

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.

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

PROPOSAL AND RATIFICATION

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 the 4th of June, 1919, and was declared, **in** a proclamation of the Secretary of State, dated the 26th of August, 1920, to have been ratified by the legislatures of 36 of the 48 States. The dates of ratification were: Illinois, June 10, 1919 (and that State readopted its resolution of ratification June 17, 1919); Michigan, June 10, 1919; Wisconsin, June 10, 1919; Kansas, June 16, 1919; New York, June 16, 1919; Ohio, June 16, 1919; Pennsylvania, June 24, 1919; Massachusetts, June 25, 1919; Texas, June 28, 1919; Iowa, July 2, 1919; Missouri, July 3, 1919; Arkansas, July 28, 1919; Montana, August 2, 1919; Nebraska, August 2, 1919; Minnesota, September 8, 1919; New Hampshire, September 10, 1919; Utah, October 2, 1919; California, November 1, 1919; Maine, November 5, 1919; North Dakota, December 1, 1919; South Dakota, December 4, 1919; Colorado, December 15, 1919; Kentucky, January 6, 1920; Rhode Island, January 6, 1920; Oregon, January 13, 1920; Indiana, January 16, 1920; Wyoming, January 27, 1920; Nevada, February 7, 1920; New Jersey, February 9, 1920; Idaho, February 11, 1920; Arizona, February 12, 1920; New Mexico, February 21, 1920; Oklahoma, February 28, 1920; West

Virginia, March 10, 1920; Washington, March 22, 1920; Tennessee, August 18, 1920.

Ratification was completed on August 18, 1920.

The amendment was subsequently ratified by Connecticut on September 14, 1920 (and that State reaffirmed on September 21, 1920); Vermont, February 8, 1921; Delaware, March 6, 1923 (after having rejected it on June 2, 1920); Maryland, March 29, 1941 (after having rejected it on February 24, 1920, ratification certified on February 25, 1958); Virginia, February 21, 1952 (after having rejected it on February 12, 1920); Alabama, September 8, 1953 (after having rejected it on September 22, 1919); Florida, May 13, 1969; South Carolina, July 1, 1969 (after having rejected it on January 28, 1920, ratification certified on August 22, 1973); Georgia, February 20, 1970 (after having rejected it on July 24, 1919); Louisiana, June 11, 1970 (after having rejected it on July 1, 1920); North Carolina, May 6, 1971; Mississippi, March 22, 1984 (after having rejected it on March 29, 1920).

#### ARTICLE [XX.]

Section 1. 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. 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. 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. 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. Sections 1 and 2 *shall* take effect on the 15th day of October following the ratification of this article.

Sec. 6. 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.

#### PROPOSAL AND RATIFICATION

The twentieth amendment to the Constitution was proposed to the legislatures of the several states by the Seventy-Second Congress, on the 2d day of March, 1932, and was declared, *in* a proclamation by the Secretary of State, dated on the 6th day of February, 1933, to have been ratified by the legislatures of 36 of the 48 States. The dates of

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

Ratification was completed on January 23, 1933.

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

#### ARTICLE [XXI.]

Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. 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.

Section 3. 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.

#### PROPOSAL AND RATIFICATION

The twenty-first amendment to the Constitution was proposed to the several states by the Seventy-Second Congress, on the 20th day of February, 1933, and was declared, *in* a proclamation by the Secretary of State, dated on the 5th day of December, 1933, to have been ratified by 36 of the 48 States. The dates of ratification were: Michigan, April 10, 1933; Wisconsin, April 25, 1933; Rhode Island, May 8, 1933; Wyoming, May 25, 1933; New Jersey, June 1, 1933; Delaware, June 24, 1933; Indiana, June 26, 1933; Massachusetts, June 26, 1933; New York, June 27, 1933; Illinois, July 10, 1933; Iowa, July 10, 1933; Connecticut, July 11, 1933; New Hampshire, July 11, 1933; California, July 24, 1933; West Virginia, July 25, 1933; Arkansas, August 1, 1933; Oregon, August 7, 1933; Alabama, August 8, 1933; Tennessee, August 11, 1933; Missouri, August 29, 1933; Arizona, September 5, 1933; Nevada, September 5, 1933; Vermont, September 23, 1933; Colorado, September 26, 1933; Washington, October 3, 1933; Minnesota, October 10, 1933; Idaho, October 17, 1933; Maryland, October 18, 1933; Virginia, October 25, 1933; New Mexico, November 2, 1933; Florida, November 14, 1933; Texas, November 24, 1933; Kentucky, November 27, 1933; Ohio, December 5, 1933; Pennsylvania, December 5, 1933; Utah, December 5, 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.

#### ARTICLE [XXII.]

Section 1. **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 the President more than once. **But** this Article **shall** not apply to any person holding the office of President when this Article was proposed by the 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. 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.

#### PROPOSAL AND RATIFICATION

This amendment was proposed to the legislatures of the several States by the Eightieth Congress on Mar. 21, 1947 by House Joint Res. **No.** 27, and was declared by the Administrator of General Services, on Mar. 1, 1951, to have been ratified by the legislatures of 36 of the 48 States. The dates of ratification were: Maine, March 31, 1947; Michigan, March 31, 1947; Iowa, April 1, 1947; Kansas, April 1, 1947; New Hampshire, April 1, 1947; Delaware, April 2, 1947; Illinois, April 3, 1947; Oregon, April

3, 1947; Colorado, April 12, 1947; California, April 15, 1947; New Jersey, April 15, 1947; Vermont, April 15, 1947; Ohio, April 16, 1947; Wisconsin, April 16, 1947; Pennsylvania, April 29, 1947; Connecticut, May 21, 1947; Missouri, May 22, 1947; Nebraska, May 23, 1947; Virginia, January 28, 1948; Mississippi, February 12, 1948; New York, March 9, 1948; South Dakota, January 21, 1949; North Dakota, February 25, 1949; Louisiana, May 17, 1950; Montana, January 25, 1951; Indiana, January 29, 1951; Idaho, January 30, 1951; New Mexico, February 12, 1951; Wyoming, February 12, 1951; Arkansas, February 15, 1951; Georgia, February 17, 1951; Tennessee, February 20, 1951; Texas, February 22, 1951; Nevada, February 26, 1951; Utah, February 26, 1951; Minnesota, February 27, 1951.

Ratification was completed on February 27, 1951.

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

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

#### CERTIFICATION OF VALIDITY

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

#### ARTICLE [XXIII.]

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

A number of electors of President and Vice President equal to the whole number of Senators and Representatives *in* Congress to which the District

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

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

#### PROPOSAL AND RATIFICATION

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

March 21, 1961; Rhode Island, March 22, 1961; Kansas, March 29, 1961; Ohio, March 29, 1961.

Ratification was completed on March 29, 1961.

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

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

#### CERTIFICATION OF VALIDITY

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

#### ARTICLE [XXIV.]

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

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

#### PROPOSAL AND RATIFICATION

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

This amendment was ratified by the following States:

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

Ratification was completed on January 23, 1964.

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

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

#### CERTIFICATION OF VALIDITY

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

#### ARTICLE [XXV.]

Section 1. **In** case of the removal of the President **from** office or of his

death or resignation, the Vice President **shall** become President.

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

Sec. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties **shall** be discharged by the Vice President as Acting President.

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

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that **no** inability exists, he **shall** resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department<sup>17</sup> or of such other body as Congress may by **law** provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress **shall** decide the issue, assembling within forty-eight hours for that

purpose if not *in* session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not *in* session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President *shall* continue to discharge the same as Acting President; otherwise, the President *shall* resume the powers and duties of his office.

#### PROPOSAL AND RATIFICATION

This amendment was proposed by the Eighty-ninth Congress by Senate Joint Resolution **No.** 1, which was approved by the Senate on Feb. 19, 1965, and by the House of Representatives, *in* amended form, on Apr. 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 Feb. 23, 1967, to have been ratified by the legislatures of 39 of the 50 States.

This amendment was ratified by the following States:

Nebraska, July 12, 1965; Wisconsin, July 13, 1965; Oklahoma, July 16, 1965; Massachusetts, August 9, 1965; Pennsylvania, August 18, 1965; Kentucky, September 15, 1965; Arizona, September 22, 1965; Michigan, October 5, 1965; Indiana, October 20, 1965; California, October 21, 1965; Arkansas, November 4, 1965; New Jersey, November 29, 1965; Delaware, December 7, 1965; Utah, January 17, 1966; West Virginia, January 20, 1966; Maine, January 24, 1966; Rhode Island, January 28, 1966; Colorado, February 3, 1966; New Mexico, February 3, 1966; Kansas, February 8, 1966; Vermont, February 10, 1966; Alaska, February 18, 1966; Idaho, March 2, 1966; Hawaii, March 3, 1966; Virginia, March 8, 1966;

Mississippi, March 10, 1966; New York, March 14, 1966; Maryland, March 23, 1966; Missouri, March 30, 1966; New Hampshire, June 13, 1966; Louisiana, July 5, 1966; Tennessee, January 12, 1967; Wyoming, January 25, 1967; Washington, January 26, 1967; Iowa, January 26, 1967; Oregon, February 2, 1967; Minnesota, February 10, 1967; Nevada, February 10, 1967.

Ratification was completed on February 10, 1967.

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

#### CERTIFICATION OF VALIDITY

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

#### ARTICLE [XXVI.]

Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote **shall** not be denied or abridged by the United States or by any State on account of age.

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

#### PROPOSAL AND RATIFICATION

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

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

Ratification was completed on July 1, 1971.

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

#### CERTIFICATION OF VALIDITY

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

#### ARTICLE [XXVII.]

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

## PROPOSAL AND RATIFICATION

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

This amendment was ratified by the following States: Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; Delaware, January 28, 1790; Vermont, November 3, 1791; Virginia, December 15, 1791; Ohio, May 6, 1873; Wyoming, March 6, 1978; Maine, April 27, 1983; Colorado, April 22, 1984; South Dakota, February 21, 1985; New Hampshire, March 7, 1985; Arizona, April 3, 1985; Tennessee, May 23, 1985; Oklahoma, July 10, 1985; New Mexico, February 14, 1986; Indiana, February 24, 1986; Utah, February 25, 1986; Arkansas, March 6, 1987; Montana, March 17, 1987; Connecticut, May 13, 1987; Wisconsin, July 15, 1987; Georgia, February 2, 1988; West Virginia, March 10, 1988; Louisiana, July 7, 1988; Iowa, February 9, 1989; Idaho, March 23, 1989; Nevada, April 26, 1989; Alaska, May 6, 1989; Oregon, May 19, 1989; Minnesota, May 22, 1989; Texas, May 25, 1989; Kansas, April 5, 1990; Florida, May 31, 1990; North Dakota, March 25, 1991; Alabama, May 5, 1992; Missouri, May 5, 1992; Michigan, May 7, 1992; New Jersey, May 7, 1992.

Ratification was completed on May 7, 1992.

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

## CERTIFICATION OF VALIDITY

Publication of the certifying statement of the Archivist of the United

States that the amendment had become valid was *made* on May 18, 1992, F.R. Doc. 92-11951, 57 F.R. 21187.

PROPOSED AMENDMENTS TO THE CONSTITUTION NOT RATIFIED BY THE STATES

*In* addition to the 27 amendments that have been ratified by the required three-fourths of the States, six other amendments have been submitted to the States *but* have not been ratified by them.

Beginning with the proposed Eighteenth Amendment, Congress has customarily included a provision requiring ratification within seven years *from* the time of the submission to the States. The Supreme Court *in* *Coleman v. Miller*, 307 U.S. 433 (1939), declared that the question of the reasonableness of the time within which a sufficient number of States must act is a political question to be determined by the Congress.

*In* 1789, twelve proposed articles of amendment were submitted to the States. Of these, Articles III-XII were ratified and became the first ten amendments to the Constitution, popularly known as the Bill of Rights. *In* 1992, proposed Article II was ratified and became the 27th amendment to the Constitution. Proposed Article I which was not ratified is as follows:

``ARTICLE THE FIRST

``After the first enumeration required by the first article of the Constitution, there *shall* be one Representative for every thirty thousand, until the number *shall* amount to one hundred, after which the proportion *shall* be so regulated by Congress, that there *shall* be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives *shall* amount to two hundred; after which the proportion *shall* be so

regulated by Congress, that there **shall** not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.''

Thereafter, **in** the 2d session of the Eleventh Congress, the Congress proposed the following article of amendment to the Constitution relating to acceptance by citizens of the United States of titles of nobility **from** any foreign government.

The proposed amendment, which was not ratified by three-fourths of the States, is as follows:

Resolved by the Senate and House of Representatives of the United States of America, **in** Congress assembled, Two thirds of both Houses concurring, that the following section be submitted to the legislatures of the several states, which when ratified by the legislatures of three fourths of the states, **shall** be valid and binding, as a part of the constitution of the United States:

If any citizen of the United States **shall** accept, claim, receive or retain any title of nobility or honor, or **shall**, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatever, **from** any emperor, king, prince or foreign power, such person **shall** cease to be a citizen of the United States, and **shall** be incapable of holding any office of trust or profit under them, or either of them.

The following amendment to the Constitution relating to slavery was proposed by the 2d session of the Thirty-sixth Congress on March 2, 1861, when it passed the Senate, having previously passed the House on February 28, 1861. It is interesting to note **in** this connection that this is the only proposed (and not ratified) amendment to the

Constitution to have been signed by the President. The President's signature is considered unnecessary because of the constitutional provision that on the concurrence of two-thirds of both Houses of Congress the proposal **shall** be submitted to the States for ratification.

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

``ARTICLE THIRTEEN

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

A child labor amendment was proposed by the 1st session of the Sixty-eighth Congress on June 2, 1926, when it passed the Senate, having previously passed the House on April 26, 1926. The proposed amendment, which has been ratified by 28 States, to date, is as follows:

Joint Resolution Proposing an Amendment to the Constitution of the United States

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

Constitution:

``ARTICLE-.

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

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

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

Joint Resolution Proposing an Amendment to the Constitution of the United States Relative to Equal Rights for Men and Women

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

``ARTICLE-

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

``Sec. 2. The Congress **shall** have the power to enforce, by **appropriate** legislation, the provisions of this article.

``Sec. 3. This amendment **shall** take effect two years after the date of ratification.''

An amendment relative to voting rights for the District of Columbia was proposed by the 2d session of the Ninety-fifth Congress on August 22, 1978, when it passed the Senate, having previously passed the House on March 2, 1978. The proposed amendment, which was not ratified by three-fourths of the States within the specified seven-year period, is as follows:

Joint Resolution Proposing an Amendment to the Constitution To Provide for Representation of the District of Columbia **in** the Congress.

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

``ARTICLE-

``Section 1. For purposes of representation **in** the Congress, election of the President and Vice President, and article V of this Constitution, the District constituting the seat of government of the United States **shall** be treated as though it were a State.

``Sec. 2. The exercise of the rights and powers conferred under this article **shall** be by the people of the District constituting the seat of government, and as **shall** be provided by the Congress.

``Sec. 3. The twenty-third article of amendment to the Constitution of the United States is hereby repealed.

``Sec. 4. 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.''

-FOOTNOTE-

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

Ratification was completed 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.

(!13)Only the 13th, 14th, 15th, and 16th articles of amendment had numbers assigned to them at the time of ratification.

(!14)This sentence has been superseded by section 3 of amendment XX.

(!15)See amendment XIX and section 1 of amendment XXVI.

(!16)Repealed by section 1 of amendment XXI.

(!17)So *in* original. Probably should be ``departments''.



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