LESSON 7
The Bill of Rights

Critics felt the Constitution was not clear enough in protecting individual rights and liberties. To quiet them, supporters of the Constitution promised to introduce a series of amendments listing these rights. On September 25, 1789, James Madison kept this promise by proposing twelve amendments to the Constitution. The ten amendments that were adopted are known as the Bill of Rights.

AMENDMENT 1
Freedom of Religion, Speech, Press; Rights to Assembly and Petition (1791)

This amendment sets out each citizen’s basic civil rights that are guaranteed by the government. For this reason, the First Amendment is perhaps the most important and best-known amendment.

An established religion is one the government sets as an official religion. At the time of the Revolution, the Anglican Church was England’s official religion. Other religions were not treated fairly. The framers saw people of many different faiths settling in America and believed that religious freedom was a must.

Under British rule, the colonists had experienced both censorship and repression. This convinced them that the Constitution must guarantee both freedom of speech and freedom of the press. People must be free to question the government, express themselves, and exchange information without fear of harm or arrest.

There are some limits, though. Slander, for example, is forbidden. Slander is saying a lie that is meant to damage another person’s reputation. Slander that is published is called libel. Saying or printing things that would endanger the nation or public is also forbidden. Publishers, for example, cannot print military secrets. People cannot yell “Fire” in a crowded theater simply for the thrill of it.

The right to assembly means that people can hold meetings to discuss public issues. The right to petition government for redress means that the people can ask government to correct a wrongful situation. These rights let citizens influence government peaceably.

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.

In the United States, citizens are guaranteed the freedom to worship as they wish by the First Amendment.
AMENDMENT 2
Right to Bear Arms (1791)

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.

The leaders of the states wanted to be able to protect themselves. Thus, private citizens and citizens serving in state militias have a right to be armed.

To some, this means government cannot interfere with gun owners. The courts have generally ruled, though, that government can pass laws to control the possession of weapons. For example, private citizens cannot own some kinds of weapons, such as machine guns. Also, both federal and state laws determine who can be licensed to own firearms. People with criminal records, for example, cannot be licensed to own guns.

AMENDMENT 3
Keeping Troops in Private Homes (1791)

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.

This amendment was meant to prevent the problems that resulted when the British tried to quarter, or house, troops in colonists' homes. In national emergencies, though, special laws can be passed to order the temporary housing of troops.

AMENDMENT 4
Search and Seizure (1791)

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.

Amendments 4 to 8 protect the rights of persons accused of crimes. The American legal system is guided by the idea that each person is "innocent until proven guilty." Thus, government tried to protect the accused person's rights throughout the criminal investigation.

This amendment protects the right to privacy. Law officers must follow strict guidelines before they can violate this privacy. Searches of private homes, for example, must be authorized by a judge, who issues a search warrant. To get a search warrant, law officers must show probable cause. Probable cause means the search is likely to uncover evidence concerning a crime. The search warrant must be very specific, though, and describe the place to be searched and what is being searched for. The courts have ruled that even illegal items found during an unauthorized search cannot be used as evidence during a trial.

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AMENDMENT 5
Rights of Persons Accused of a Crime (1791)

Because of television and movies, taking the "Fifth Amendment," or refusing to testify against yourself, is one of the best-known rights under the Constitution. This is just one of the important protections this amendment provides persons accused of crimes.

No one can be tried for a major crime unless they are indicted, or charged, by a grand jury. A grand jury decides if there is good reason to believe the accused person is guilty. The exception is someone who is serving in the military and accused of committing a crime during a military action.

Citizens are also protected from double jeopardy. Double jeopardy means a citizen is at risk, or jeopardy, for trial a second time, even if he or she is found innocent in the first trial. Of course, people who are found guilty can appeal, or ask a higher court to decide if there was an error in the first trial.

No one can be imprisoned, executed, or have property taken without due process. Due process refers to the guidelines that protect a person's rights during legal proceedings.

Finally, the amendment limits eminent domain—the government's power to take private property for public use. If property is needed for a highway, for example, the government must prove it is needed and pay the owner a fair price.

AMENDMENT 6
Right to a Fair and Speedy Trial (1791)

In England, people accused of crimes were held, sometimes for years, without ever standing trial. The right to a "speedy trial" simply means the accused will not have to wait very long before a hearing.

There are also guidelines to ensure the trial is fair. The jury must swear to be objective and fair in weighing the evidence. The accused must be told the exact charges, so that he or she can prepare a proper defense before the trial. The trial itself cannot be secret. It—and the testimony witnesses give—must be public. The accused must be present at the trial and have a chance to question witnesses. The accused can also call witnesses to testify on his or her behalf. Finally, the accused has the right to be represented by a lawyer, even during questioning about a crime.
The fifth and sixth amendments protect individuals accused of crimes. Citizens have the right to due process, are protected from double jeopardy, are entitled to fair and speedy trials, and are guaranteed a public trial by jury.

AMENDMENT 7  
Trial by Jury in Civil Suits (1791)

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

Article III and the Sixth Amendment guarantee jury trials for persons accused of crimes. This amendment extends this right to either party in a civil suit involving more than twenty dollars. A civil suit, or case, involves a dispute about individual rights and legal obligations. A dispute about a contract, for example, would be settled by a civil suit.
AMENDMENT 8  
Bail and Punishment (1791)

In some cases, the court will decide that an accused person who is awaiting trial can be released from jail if he or she pays bail. **Bail** is a sum of money or property the accused person agrees to give up if he or she fails to return for trial.

Both bail and fines used as punishment must fit the crime. Punishments themselves cannot be cruel or unusual. A shoplifter, for example, cannot be hanged. This amendment has been used to challenge the constitutionality of the death penalty. Beginning in 1972, a series of Supreme Court rulings agreed that the death penalty was "cruel and unusual punishment." Thus, all laws that dealt with the death penalty were void. Then in 1976, a ruling again allowed the death penalty for certain "extreme" crimes, as long as the guidelines for its use were clear. Today, the debate over the death penalty continues.

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

AMENDMENT 9  
Powers Reserved to the People (1791)

The framers realized they could not list all the rights of citizens. This amendment was included to make it clear that the "listed" rights were not the people's only rights. It satisfied those who worried a bill of rights could be used to limit liberty, not protect it.

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

AMENDMENT 10  
Powers Reserved to the States (1791)

This amendment aims to make the state's relationship to the federal system clear. All powers that are not specifically given to the federal government or specifically forbidden to the states, are guaranteed to the states or the people.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.
LESSON 8

Nineteenth-Century Amendments

Five amendments were ratified between 1795 and 1870. Amendment 11 changed the rules for suing states, and Amendment 12 clarified the way the President and Vice-President are elected. Amendments 13, 14, and 15 reflect changes resulting from the Civil War.

AMENDMENT 11

Lawsuits Against States (1795)

Under Article III, a state could be sued by a citizen from another state. During the debates for ratification, the Anti-Federalists labeled this a threat to state power. The Federalists, though, assured them no state could be sued without its consent. Then in 1793, a man from South Carolina sued the state of Georgia in federal court. The state refused to appear in court, since it had not given consent. The Supreme Court ruled against Georgia.

The next year, this amendment was passed. Federal courts no longer can try cases in which a state is sued by citizens of another state or a foreign country. This is the only amendment to limit the judicial branch.

AMENDMENT 12

ELECTING THE PRESIDENT AND VICE-PRESIDENT (1804)

This amendment was adopted to clarify and solve some problems with the electoral process established in Article II. (To review the problem, see the discussion of the election of 1800 with Article II, Section 1, Clause 3.) Before this amendment, only one ballot was used when the electors voted for President and Vice-President. The candidate with the most votes became President, and the runner-up became Vice-President.

Now electors meet in their own states and use separate ballots to vote for President and Vice-President. The results are then sent to the President of the Senate, who opens and counts the results at a joint session of Congress. The candidate who receives a majority of the votes for President is elected. If no candidate has a majority, the House picks the President from the three candidates having the most votes. When picking a President in this manner, each state has one vote, and two-thirds of the states must vote.

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.

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 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.—The person having the greatest number of votes as Vice President, shall be the Vice President, if such a 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.

If no candidate has received a majority by January 20 (this date was changed by Amendment 25), the Vice-President acts as President until a new President is chosen.

The Vice-President is picked using nearly the same process. If there is no candidate with a majority, the Senate picks the Vice-President from the two candidates having the most votes. In this case two-thirds of the senators must vote, and a majority is needed to elect the Vice-President.

A vice-presidential candidate must meet the same qualifications as a presidential candidate, since the Vice-President may someday become President.

The election process is a very important feature of our constitutional democracy.
AMENDMENT 13
Slavery Abolished (1865)

SECTION 1: Slavery prohibited
This is the first of three amendments passed as a direct result of the Civil War. In 1863, President Lincoln's Emancipation Proclamation freed only enslaved persons in the Confederacy. Now this amendment ended slavery in all the remaining states and territories. "Involuntary servitude" used to punish convicted criminals is still allowed, though.

SECTION 2: Enforcement
Congress can pass laws to enforce the amendment and punish violators.

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.

AMENDMENT 14
Civil Rights in the States (1868)

SECTION 1: Citizenship
Anyone born or naturalized in the United States is a citizen of both the United States and the state where they live. Under this definition, former enslaved people were clearly full citizens. Thus, no state can pass laws that deprive citizens of rights guaranteed by the Constitution without due process of the law. This amendment, perhaps the most important since the Bill of Rights, has been the basis of many court cases concerning civil rights. For example, this amendment was used to support school desegregation. To find out more, read the case study, "Brown v. Board of Education of Topeka, Kansas."

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, 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 of emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

SECTION 2: Apportionment for the House of Representatives

Section 2 strikes down the portion of Article I that counted only three-fifths of the enslaved persons when apportioning congressional representation. After Amendment 14 became law, the entire population of a state was counted for purposes of determining representation. Because the authors of this amendment were afraid states might try to keep African American citizens from voting, the amendment also provides specific penalties. If a state denies an eligible citizen the right to vote, then the state's number of representatives in Congress will be reduced. This passage issued a challenge to the South to either cooperate or lose representation in Congress.

SECTION 3: Penalties for Confederate officials

This was aimed specifically at former officials in the rebellious Confederate states. Unless two-thirds of Congress approved it, none of them could hold offices in either the state or federal governments.

SECTION 4: Federal debts

Any debts the United States had during the Civil War would be paid by the government. Any debts that the former Confederate states owed would not be paid, nor would former slaveholders be paid for losing their enslaved people. This clause was included to restore faith in the credit of the federal government and to punish those who had aided the rebellious states.
SECTION 5: Enforcement
Congress can pass laws to enforce the amendment.

African Americans were given their freedom and the right to vote in amendments 13, 14, and 15. However, the struggle for equal rights has continued for more than 100 years, as shown in this giant March on Washington in 1963.

SECTION 1: Right to vote expanded
This amendment, directed at African Americans, is important for another reason. Before this, the states decided who could vote. Now, for the first time, the federal government acted to protect the right to vote.

Some Southern states refused to cooperate, though. For example, they gave voters literacy tests. Whites passed if they could sign their name. African Americans were given difficult readings. If they failed, they were ruled illiterate and ineligible to vote.

SECTION 2: Enforcement
Congress used its power under this section to pass the Voting Rights Act of 1965. This gave the federal government the power to supervise state elections and end such unfair practices as literacy tests. As a result, millions of African Americans registered and voted for the first time.

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.
LESSON 9
Twentieth-Century Amendments

During the nineteenth century, the Constitution acquired the reputation of being difficult to amend. In our own century, that reputation has not always seemed well deserved. The early years of the twentieth century brought a wave of new amendments—Amendments 16–19—reflecting the political and social concerns of the late Progressive Era. Later, Amendments 23–27 were passed.

AMENDMENT 16
Income Tax (1913)

In 1894 Congress passed a law imposing a tax on income. The Supreme Court found the law unconstitutional, arguing that it violated specific constitutional provisions against certain kinds of taxes. Amendment 16 set aside this ruling and gave Congress authority to levy an income tax.

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration.

AMENDMENT 17
Election of Senators (1913)

Article I, Section 3 originally specified that senators were to be chosen by the legislatures of the states they represented. As a result of Amendment 17, senators are now elected directly by the people. Anyone qualified to vote for members of the lower house in the state legislature can vote for United States senator.

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.
AMENDMENT 18
Prohibition of Intoxicating Liquors (1919)

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.

SECTION 2
The Congress and the several states shall have concurrent power to enforce this article by appropriate legislation.

SECTION 3
This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislature of the several states, as provided in the Constitution, within seven years from the date of submission thereof to the states by the Congress.

The movement to ban alcoholic beverages had been part of American life since the mid-1800s. By 1917 more than half the states had laws against intoxicants, and during World War I, various groups urged that they be banned altogether.

Amendment 18 was passed shortly after the end of the war. It soon proved to be unenforceable. Many objected that the use of alcohol was a private matter and looked for ways around the constitutional ban. The amendment was repealed in 1933 with the passage of Amendment 21.

"I CANNOT TELL A LIE—I DID IT WITH MY LITTLE HATCHET!"
An early prohibition supporter, Carrie Nation, often destroyed barrooms with her hatchet.

AMENDMENT 19
Women's Right to Vote (1920)

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any states on account of sex.

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

By the early 1900s, several states granted voting rights to women in all elections, at all levels of government. Federal courts, however, had earlier ruled women were not granted the right to vote under any clear provision of the Constitution. To get around this problem, a woman suffrage amendment was introduced to Congress in 1878 and reintroduced every year after that. It was finally passed in 1920 as Amendment 19.
AMENDMENT 20
Presidential and Congressional Terms (1933)

SECTION 1: Beginning Terms of Office
Amendment 20 is often called the Lame Duck Amend-
ment, since it dealt with the problem of "lame ducks"—
that is, Presidents and members of Congress waiting to
leave office after failing reelection or announcing their
retirement. Since lame ducks generally represented the
policies of the defeated party, they were in a position to
affect legislation even though they no longer spoke for the
majority of voters. Amendment 20 dealt with this problem
by shortening the waiting time between election day and
the beginning of a new term.

SECTION 2: Beginning Congressional Sessions
Congressional sessions traditionally began in Decem-
ber, though newly elected members were not seated until
March. Section 2 did away with these "lame duck" ses-
sions by making the date of the opening of Congress and
the beginning of members' terms the same.

SECTION 3: Presidential Succession
If a President-elect dies before his term begins, or oth-
erwise fails to meet the qualifications for holding office,
the Vice-President-elect becomes President.

SECTION 4: Vacancies Filled by Congress
This section specifies the action to be taken by Con-
gress if a candidate for President or Vice-President dies
following a presidential election in which no candidate has
received a majority of electoral votes.

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 third day of January, of the year
in which such terms would have ended
if this article had not been ratified; and
the terms of their successors shall then
begin.

SECTION 2
The Congress shall assemble at least
once in every year, and such meeting
shall begin at noon on the third day of
January, unless they shall by law
appoint a different day.

SECTION 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.

SECTION 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.

SECTION 5
Sections 1 and 2 shall take effect on
the 15th day of October following the
ratification of this article.
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.

SECTION 1: Repeal
With the failure of prohibition, a variety of plans to repeal or modify Amendment 18 were proposed. The amendment was finally repealed by Amendment 21.

SECTION 2: Prohibition by the States
Individual states could continue to ban alcohol if they so chose. They could also rely on federal support for enforcing state laws against the use and transport of liquor.

SECTION 1: Limit on Term of Office
Before Franklin D. Roosevelt, no President had ever served more than two full terms. But Roosevelt's election to third and fourth terms suggested that without constitutional safeguards a President might hold office indefinitely. Amendment 22 limits a President to two full terms in office. It also specifies that no one serving more than two years of another President's term—for example, as Gerald Ford did President Nixon's—can be elected President more than once on his or her own.
Because the Constitution had no limits, Franklin Roosevelt was elected to four terms of office. Amendment 22 limits the number of presidential terms for future presidents to two.

AMENDMENT 23
Electors for District of Columbia (1963)

SECTION 1: Terms of Representation
For many years, the District of Columbia did not take part in presidential elections. The district is not a state within the meaning of the Constitution, and only states could be represented in the Electoral College, where the President is finally chosen. As a result of Amendment 23, district residents now have the right to vote for President, with the district receiving the same number of electors in the Electoral College as the least populous state.

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.

SECTION 2
The Congress shall have power to enforce this article by appropriate legislation.
AMENDMENT 24
Poll Taxes (1964)

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.

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

AMENDMENT 25
Presidential Disability and Succession (1967)

SECTION 1: Role of the Vice-President
Article II left unsettled the question of whether a Vice-President actually becomes President or only acts in the President's place if a President dies, resigns, or is removed from office. Amendment 25 specifies that the Vice-President does in fact become President, leaving the office of Vice-President vacant.

SECTION 2: Vice-Presidential Vacancies
Prior to Amendment 25, if the office of Vice-President fell vacant before the end of term, the vacancy was left unfilled. Section 2 establishes constitutional procedures for filling such vacancies if they occur.

SECTION 3: Declaration of Disability
If for any reason the President declares himself or herself unable to perform the duties of his or her office, the Vice-President becomes Acting President, a role formally established by this section of the amendment.

SECTION 4: Disability Not Acknowledged
Section 4 sets up constitutional procedures for dealing with a President who either cannot or will not acknowledge that he is disabled. It also provides for the President's return to office after he has recovered from his disability.
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 departments or of such other body as Congress may by law provide, transmit within four days to the president pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as acting President; otherwise, the President shall resume the powers and duties of his office.

AMENDMENT 26
Voting Rights for Eighteen-Year-Olds (1971)

SECTION 1: Minimum Age for Voting
In 1970, in response to public pressure, Congress attempted to make eighteen the national minimum voting age. The Supreme Court ruled that Congress was not authorized to set voting-age requirements for the states. Amendment 26 sidestepped the ruling by guaranteeing all citizens eighteen and older the right to vote.

AMENDMENT 27
Restraint on Congressional Salaries (1992)

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

Any increase in the salaries of members of Congress will take effect in the subsequent session of Congress.