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## More Changes Needed - Amendments of the 1900s, Part 2

By Phyllis Naegeli

As America approached the time of World War II, more changes to our Constitution occurred. Presidential term limits were established. Presidential succession was clarified. Voting rights were defined and modified. One amendment was ratified more than two hundred years after its presentation to the states. Our Constitution continued to work for us.

Amendment 22 limits presidential terms of office to two. Prior to this amendment, presidents voluntarily served two terms in office. However, in 1940, Franklin D. Roosevelt had held two terms in office, and he decided to run for a third. The world was in a turbulent period during his terms of office. He felt he would be able to continue to help keep America out of the war. The people agreed, and he was elected. Unfortunately, on December 7, 1941, America was attacked at Pearl Harbor. Roosevelt had no choice but to declare war. When the time came for another election, Roosevelt decided to run. He was elected for a fourth term. However, he died early in this term. During Roosevelt's time in office, a movement to restrict presidential terms of office to two began. On March 21, 1947, Congress passed the 22nd Amendment. In addition to limiting presidents to two terms, the amendment limits someone who takes over for a president. If a person serves more than two years of the term of another, that person can only run for one additional term. Harry Truman, who took the presidency when Roosevelt died, was exempted from the requirements of this amendment. However, he chose to run for only one additional term.

Amendment 23 gave voters in the District of Columbia electors for presidential voting. Up until 1961, residents in the District of Columbia did not have the right to vote in presidential elections. On June 17, 1960, Congress passed the 23rd Amendment to grant the District of



Columbia electors based on the number of congressional representatives it would have if it were a state. It was ratified on March 29, 1961.

Amendment 24 abolished the poll tax. For many years, poll taxes were used by states to raise revenue. However, they were also used as a qualification to cast a ballot in an election. The 24th Amendment abolished poll taxes in federal elections. The battle to eliminate them was a long one. An amendment was first proposed in 1939. But it was not until 1962 that the 24th Amendment passed Congress. By that time, only five states were still using poll taxes. The amendment was ratified on January 23, 1964. Poll taxes were eliminated for good.

Amendment 25 clarified the "when" of presidential succession. Under Section 1, the vice president becomes president "in the case of the removal of the president from office or of his death or resignation." Prior to this, the vice president who took over the office was recognized as president by custom only. Section 2 lays out the plan to fill a vacancy in the office of vice president. The president nominates a person to fill the open position. Congress must approve the nomination by a majority vote. The disability of a president to perform the duties of the office is also included in this amendment. A president can deliver a letter stating his inability to serve or the vice president and a majority of executive branch officers can declare a president unable to serve. In order to resume the duties of president, the president must notify Congress. If the vice president and executive branch officers do not feel the president is ready to serve again, Congress must make the decision by a two-thirds vote. In any case, the vice president acts as president until the president returns.

Amendment 26 gave anyone over the age of eighteen the right to vote. During the Vietnam War, a cry from protesters was heard. "If a person is old enough to be drafted, he is old enough to vote." Prior to this amendment, states had the right to set the voting age. In 1965, Congress tried to change the age limit by passing the Voting Rights Act of 1965. However, the Supreme Court nullified this law, stating that Congress could only change the requirements in federal elections. States could still decide on a minimum age for elections within the state. Congress decided to change the Constitution to avoid any confusion. The amendment was sent to the states on March 23, 1971. It was ratified on July 1, 1971, giving millions of new voters the right to vote in the 1972 elections.

Amendment 27 stops Congress from raising the pay for its members in mid-term. The amendment was part of the original set of amendments that became the Bill of Rights. It started its long

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adventure on September 25, 1789. Because only six states ratified it, it remained inactive for many years. Ohio ratified it in 1873. Wyoming ratified it in 1978. Then, an effort to revive interest in the amendment was formed as a protest against the perks Congress enjoys. On May 7, 1992, Michigan ratified the amendment, adding it to the Constitution.

Over our history, many changes have come to America. Article V of our Constitution allowed our highest law to change along with us. The framers had the foresight to see this would be necessary. It made our Constitution a "living" document that will continue to work for us, keeping us free.

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## Questions

- \_\_\_\_\_ 1. Prior to Amendment 22, why did presidents not run for more than two terms?
- A. Many did, but were not elected.
  - B. They were restricted by their political parties.
  - C. Most states had laws against a president serving more than two terms.
  - D. They voluntarily chose not to run.
- \_\_\_\_\_ 2. Which president was elected to four terms?
- A. Franklin D. Roosevelt
  - B. Harry Truman
  - C. Theodore Roosevelt
  - D. George Washington
- \_\_\_\_\_ 3. How are electors determined for the District of Columbia according to the 23rd Amendment?
- A. by Congress passing an act each election year
  - B. by the mayor of the city
  - C. by population
  - D. by executive order

4. What is a poll tax?

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- \_\_\_\_\_ 5. Which amendment came about because of the cry, "If a person is old enough to be drafted, he is old enough to vote"?
- A. Amendment 26
  - B. Amendment 24
  - C. Amendment 23
  - D. Amendment 25
- \_\_\_\_\_ 6. Which amendment took over two hundred years to be ratified?
- A. Amendment 26
  - B. Amendment 25
  - C. Amendment 24
  - D. Amendment 27
7. Who takes over for the president when the president cannot perform his duties?
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- \_\_\_\_\_ 8. What does the 27th Amendment prevent Congress from doing?
- A. raising its pay
  - B. collecting income taxes
  - C. raising the president's pay
  - D. raising its pay mid-term