



YONKERS PUBLIC SCHOOLS

US History and Government
Regents Review

Flexibility
Amendments
Elastic Clause
Judicial Review

Flexibility

The Constitution is a flexible document that can meet changing conditions over time.

THE ELASTIC CLAUSE Article I, Section 8, Clause 18, states that Congress can make all laws “necessary and proper” for carrying out the tasks listed in the Constitution.

THE AMENDMENT PROCESS Article V describes how the Constitution may be formally amended. Both Congress and the states must agree to such changes.

JUDICIAL INTERPRETATION The Supreme Court and lower federal courts review cases which involve possible conflicts with the Constitution and federal laws. This involves interpreting local, state, and federal laws, as well as executive actions.

Name: _____

- 1) Flexibility is provided in the United States Constitution mainly by the
 - 1) provisions for separation of powers
 - 2) system of checks and balances
 - 3) amending process and the elastic clause
 - 4) Preamble and the Bill of Rights
- 2) The flexibility of the original United States Constitution is due mainly to
 - 1) its guarantees of freedom and justice for all people
 - 2) the extensive powers delegated to the executive branch
 - 3) its provision for the amending process and judicial interpretation
 - 4) the willingness of the states to accept Federal control
- 3) The United States Constitution has survived for more than 200 years primarily because
 - 1) the language of the Constitution allows for a variety of interpretations
 - 2) most immigrants to the United States have come from democratic countries
 - 3) the United States has won most of its wars
 - 4) most Presidents have ignored provisions that are obsolete
- 4) In the United States, the use of implied powers, the amending process, and Supreme Court interpretations have resulted in
 - 1) the Constitution being adapted to fit changing times
 - 2) a strengthening of the principle of separation of powers
 - 3) a general loss of individual rights
 - 4) the limiting of Presidential power in domestic affairs

- 5) The elastic clause, the amending process, and judicial review are all methods by which
 - 1) the wording of the original Constitution may be altered
 - 2) Congress may check the power of the executive branch
 - 3) state governments may limit the power of the Federal Government
 - 4) the Constitution may be adapted to meet changing conditions
- 6) The partial outline below concerns the United States Constitution.

BASIC PRINCIPLES

I. _____

- A. The amendment process
- B. The elastic clause
- C. Judicial review

Which entry would be most appropriate for line I?

- 1) The powers of the Executive
 - 2) The balance of power between the National Government and the States
 - 3) Constitutional rights and freedoms
 - 4) The Constitution's ability to adapt to change
- 7) "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers,..."

This clause in the United States Constitution has most often been used to

- 1) increase the power of state governments
- 2) justify the principle of civil disobedience
- 3) impeach members of the executive branch
- 4) broaden the authority of Congress

- 8) "Congress shall have power... to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

This section of the United States Constitution is used to

- 1) justify a loose interpretation of the Constitution
- 2) start the amendment process
- 3) protect States rights
- 4) limit the authority given to Congress

9) Which provision of the United States Constitution has contributed most to its ability to adapt to changing times?

- 1) "The Senate of the United States shall be composed of two Senators from each state...."
- 2) "All bills for raising revenue shall originate in the House of Representatives...."
- 3) "[Congress shall have the power] to make all laws which shall be necessary and proper for carrying into execution the foregoing powers...."
- 4) "The judicial power of the United States shall be vested in one Supreme Court...."

10) Which provision of the United States Constitution has been most significant in broadening the powers of the Federal Government?

- 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;...."
- 2) "The Congress shall have power... to make all laws which shall be necessary and proper for carrying into execution the foregoing powers...."
- 3) "All bills for raising revenue shall originate in the House of Representatives...."
- 4) "The Senate shall have the sole power to try all impeachments... When the President of the United States is tried, the Chief justice shall preside;...."

11) The section of the United States Constitution that grants Congress the power to "make all laws which shall be necessary and proper for carrying into execution the foregoing powers..." has come to be known as the

- 1) due process provision
- 2) elastic clause
- 3) great compromise
- 4) supremacy clause

12) A major way the United States Congress has extended its powers is through its

- 1) role as final interpreter of the Federal Constitution
- 2) power to amend state constitutions
- 3) authority to grant patents and copyrights
- 4) use of the elastic clause

13) The elastic clause of the United States Constitution has been used primarily to

- 1) balance the powers of the states with those of the Federal Government
- 2) eliminate the need for Senate approval of Presidential appointments under certain circumstances
- 3) broaden the power of Congress
- 4) expand the jurisdiction of the Federal courts

14) "We should consider we are providing a constitution for future generations of Americans, and not merely for the particular circumstances of the moment." —Delegate at the Constitutional Convention of 1787

The writers of the Constitution *best* reflected this idea when they provided that

- 1) three-fifths of the slaves should be counted as part of the total population
- 2) political parties should be established to represent various viewpoints
- 3) Senators should be elected directly by the people
- 4) Congress shall make all laws necessary and proper to carry out its constitutional powers

15) As related to the United States Constitution, Thomas Jefferson's purchase of Louisiana and Franklin D. Roosevelt's Hundred Days legislation are *both* examples of

- 1) strict construction
- 2) judicial review
- 3) States rights
- 4) loose interpretation

16) Congress used the elastic clause provision of the United States Constitution when it

- 1) declared war against Germany in World War I
- 2) created the Federal Communications Commission (FCC)
- 3) passed the Hawley-Smoot Tariff of 1930
- 4) approved the President's nomination of Ruth Bader-Ginsberg to the Supreme Court

- 17) Alexander Hamilton's argument that the government has the power to create a National Bank is based on which part of the Constitution?
- 1) the elastic clause
 - 2) the Bill of Rights
 - 3) the Preamble
 - 4) guarantees to the States

- 18) The elastic clause of the United States Constitution allows for
- 1) expansion of States rights
 - 2) judicial review
 - 3) expansion of Presidential powers
 - 4) adaptability of congressional power

Questions 19 and 20 refer to the following:

"To take a single step beyond these specific [Constitutional] limits to the powers of Congress is to grasp unlimited power.

"The power to create a [national] bank has not, in my opinion, been delegated to Congress by the Constitution. Supporters of the Bank Bill argue that a [national] bank would be a great convenience in collecting taxes. Even if this argument were true, the Constitution allows only for laws which are 'necessary', not those which are merely 'convenient' for carrying out delegated powers."

- 19) The speaker is basing his argument mainly on a strict interpretation of which provision of the Federal Constitution?
- 1) Preamble
 - 2) elastic clause
 - 3) judicial review
 - 4) apportionment of Representatives
- 20) The author of this passage is most concerned about the
- 1) increase in the powers of state governments
 - 2) use of public funds to create a national bank
 - 3) problem of collecting Federal taxes
 - 4) possible abuse of congressional power

- 21) The power of the Federal Government to enact legislation such as the Pure Food and Drug Act of 1906 and the Social Security Act of 1935 is granted by which clause of the United States Constitution?
- 1) elastic clause
 - 2) commerce clause
 - 3) three-fifths compromise clause
 - 4) reserved powers clause

- 22) The amendment process was included in the United States Constitution in order to
- 1) check the power of the Supreme Court
 - 2) preserve the federal system of government
 - 3) allow government to meet the changing needs of society
 - 4) remove government officials from political office

- 23) The implied powers suggested by the United States Constitution show that the writers recognized the
- 1) powers of government needed to be able to adapt to change
 - 2) rights of the citizens were the first concern of government
 - 3) rights of the states had to be protected
 - 4) powers of the Supreme Court needed to be checked

- 24) Which statement from the United States Constitution is referred to as the elastic clause?
- 1) "All legislative powers herein granted shall be vested in a Congress of the United States...."
 - 2) "All bills for raising revenue shall originate in the House of Representatives...."
 - 3) "Congress shall have power... to make all laws which shall be necessary and proper for carrying into execution the foregoing powers...."
 - 4) "Congress shall make no law respecting an establishment of religion...."