Changing the Rules

How constitutional amendments move from proposal to approval

USG.3.6 "Describe the procedures for amending the United States and Indiana Constitutions, and analyze why it is so difficult to amend these Constitutions."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB As you read, underline each step toward an amendment, circle each approval threshold, and star one reason an amendment might be difficult to pass.

A Right That Takes More Than a Vote

1. After a town's water system fails, residents propose a new right to clean drinking water. They learn that a constitution is harder to change than an ordinary law. The United States Constitution offers two ways to propose an amendment. Two-thirds of both the House of Representatives and the Senate can approve it, or two-thirds of state legislatures can ask Congress to call a proposing convention. That convention can propose an amendment, but cannot make it law alone. In either case, a strong coalition must agree before the proposal even reaches the states for a final decision.

2. Congress chooses one of two federal ratification methods: approval by three-fourths of state legislatures or by conventions in three-fourths of the states. With 50 states, either method requires approval in 38 states. A president does not sign a constitutional amendment, and a national popular vote does not ratify one. This process protects the Constitution from sudden shifts in opinion, but it can also block a widely supported idea. Supporters of a clean-water amendment would need agreement across many states with different needs, budgets, and political views, not just a winning vote in Congress.

3. Indiana follows a different path. An amendment may begin in either house of the General Assembly and must win a majority of all elected members in each house. After an election for lawmakers, the next General Assembly must approve the same amendment by a majority of all elected members in each house. Then voters decide: a majority of those voting on the amendment must approve it. If the second legislature says no, the proposal never reaches the ballot. Requiring two legislatures separated by an election gives voters time to react, but it also gives opponents another chance to stop a proposed change.

2 ANSWER WITH EVIDENCE

Use the passage

1. How can a federal amendment be proposed, and how is Indiana's proposal process different?

2. Who gives final approval to an amendment under each constitution, and what approval is required?

3. A federal proposal wins two-thirds in the House but less than two-thirds in the Senate. No proposing convention has been called. At which stage does it stop, and why?

4. An Indiana proposal passes the first General Assembly, but the next General Assembly rejects it after the election. At which stage does it stop, and how does that stage make amendment difficult?

3 YOUR TURN

Your own words

Imagine a proposed right to free public transit in both constitutions. In four or five sentences, describe one valid path for each amendment and argue which path would be harder to complete, using at least two approval thresholds.

ANSWER KEY

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PART 1 · READ AND MARK

As you read, underline each step toward an amendment, circle each approval threshold, and star one reason an amendment might be difficult to pass. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How can a federal amendment be proposed, and how is Indiana's proposal process different?	**A federal amendment can be proposed by two-thirds of both houses of Congress or by a convention called after requests from two-thirds of state legislatures. In Indiana, a proposal must pass both houses of two successive General Assemblies, with an election between them.**
2	Who gives final approval to an amendment under each constitution, and what approval is required?	**A federal amendment needs approval from legislatures or conventions in three-fourths of the states, as Congress directs. An Indiana amendment needs a majority of voters voting on the amendment.**
3	A federal proposal wins two-thirds in the House but less than two-thirds in the Senate. No proposing convention has been called. At which stage does it stop, and why?	**It stops at the proposal stage because the congressional route requires two-thirds approval in both houses.**
4	An Indiana proposal passes the first General Assembly, but the next General Assembly rejects it after the election. At which stage does it stop, and how does that stage make amendment difficult?	**It stops at the second legislative approval stage, before voters can consider it. The required second approval gives opponents another chance to block the proposal.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

Suppose people propose a constitutional right to free public transit. For a federal amendment, two-thirds of both houses of Congress could propose it, and three-fourths of state legislatures could ratify it if Congress chooses that method. In Indiana, a majority of all elected members in each house must approve it in two successive General Assemblies, followed by a majority of voters voting on the amendment. I think the federal path would be harder because the transit plan might face opposition in many states. Even if many voters like the idea, support in 38 states would be difficult to secure.

Accept either valid federal proposal route and either ratification method when correctly described. For Part 3, accept either judgment about difficulty if the student supports it with accurate procedures and at least two approval thresholds.