

Power Grab

A Constitution Week Activity



CONGRESS, JULY 4, 1776.
States of America

We the People of the United States
insure domestic Tranquility, provide for the common defence, promote the general
and our Posterity, do ordain and establish this Constitution for the United States

Article 1

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. 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.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and 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.

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.

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 choose three, Massachusetts eight, New York nine, New Jersey four, Pennsylvania four, Delaware three, Maryland three, Virginia five, North Carolina five, South Carolina three, and Georgia three.

More or less Representatives may be chosen from any State the Executive Authority thereof shall give Notice of Election to fill such Vacancies.

Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six Years, and each Senator shall have one Vote.

Immediately after they shall be qualified 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 Term of any Senator, then the Executive Authority thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

U.S. Constitution Power Grab Game: Teacher Leader Notes/Answer Key

Objectives:

- Identify the three American government branches and describe their function. (GC.06 & 07).
- Understand how each branch creates “balance” by acting as a “check” on the others (8.23, GC.06).

Slide 4 | Game Directions

- Break into **groups** (4-5 students) **or** a class can compete v. other classes.
- Select a **record keeper** to track their teams’ scores and questions asked.
- View game home question slide and allow group/representative to **choose a “Power Grab” question/scenario and point level** (“Legislative for 60 points,” or “I’ll take Executive for 10 points!”) Questions are organized as Executive 10 – 100 points, Judicial 10 – 100 points, and Legislative 10 - 100 points.
- **All** groups/contestants **search for proof** in their copies of the U.S. Constitution that the “power grab” is **unconstitutional**. Scenarios are unconstitutional; the students’ job is to show why, according to the U.S. Constitution. Group record keepers **write down their answer/question/points** and raise their hands, indicating ready.
- Strong answer example: **Students ID Article, Section, and Clause or Amendment.**
- Group/Representatives with the correct answer will receive points for the “power grab.” **The group with the most points at the end of the game (30 questions) will win civic knowledge pride and a small prize!**

***Constitution Page numbers are approximate, depending on printed copy. ***

Slide 6 | Executive Branch Power Grab | 10pts

- Advance slide to start timer (click, right arrow, or space key). **Advance a second time to the end timer.** Advance a third time to reveal the answer.
- **Power Grab Question/Scenario:** A serious economic crisis takes place in the U.S. The President decides to run for a third term (Amendment 22)

Slide 7 | Executive Branch Power Grab | 10pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- **The 22nd Amendment limits presidents to two elected terms (Amendment 22) pg. 30**

Slide 8 | Executive Branch Power Grab | 20pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The President declares war on China. (Article I, Section 8, Paragraph 11)

Slide 9 | **Executive Branch Power Grab | 20pts Answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***Congress has the power to declare war, not the President (Article I, Section 8, Paragraph 11)*** pg. 7

Slide 10 | Executive Branch Power Grab | 30pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The President makes an appointment to a U.S. Senator’s seat who resigned for personal reasons. (Article I, Section 3, Paragraph 2)

Slide 11 | **Executive Branch Power Grab | 30pts Answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***The President does not have the power to appoint Senators; state Governors can make a temporary appointment before elections are held (Article I, Section 3, Paragraph 2)*** pg. 3

Slide 12 | Executive Branch Power Grab | 40pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** To fight terrorism, anyone found guilty of hijacking will be punished by having their fingernails ripped off. (Amendment 8)

Slide 13 | **Executive Branch Power Grab | 40pts Answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***The 8th Amendment prohibits cruel and unusual punishment (Amendment 8)*** pg. 21

“Power Grab” Mini Lesson | Answer Key

Slide 14 | Executive Branch Power Grab | 50pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The President decides that Congress will begin its next regular session on December 15, following the midterm elections. (Amendment 20, Section 2)

Slide 15 | Executive Branch Power Grab | 50pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***Amendment 20, Section 2 sets Congress’s start date as January 3rd, which can only be changed by an act of Congress. The President cannot select the date (Amendment 20, Section 2) pg. 28***

Slide 16 | Executive Branch Power Grab | 60pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The President orders that a mass murderer be sent back to Washington from Oregon. (Article IV, Section 2, Paragraph 2)

Slide 17 | Executive Branch Power Grab | 60pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***Only state governors handle extraditions between states. This authority the given to the state (Article IV, Section 2, Paragraph 2) pg. 15***

Slide 18 | Executive Branch Power Grab | 70pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** A famous actor is arrested and charged with a state crime. The President pardons him. (Article II, Section 2, Paragraph 1)

Slide 19 | Executive Branch Power Grab | 70pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***The president can only pardon federal offenses, and this violation is on a state level (Article II, Section 2, Paragraph 1) pg. 12***

Slide 20 | Executive Branch Power Grab | 80pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** Your land is in the way of a federal highway, so the President takes your land without compensation (Amendment 5)

Slide 21 | **Executive Branch Power Grab | 80pts Answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***The 5th Amendment requires fair compensation when the government takes private property for public use. (Amendment 5)***
pg. 20

Slide 22 | Executive Branch Power Grab | 90pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The President orders that the next presidential election will be decided by popular vote. (Article II & Amendment 12)

Slide 23 | **Executive Branch Power Grab | 90pts Answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***Electoral College, not a direct popular vote, decides the presidency. The President cannot change that system—only a constitutional amendment could (Article II, Section 1, Paragraphs 1&2 & Amendment 12)*** pg. 9-10 and 22-23

Slide 24 | Executive Branch Power Grab | 100pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The President, concerned about drug violations in Tennessee, allows the Governor and Attorney General to suspend its Constitution and Republican Form of government for a period of one year. (Article IV, Section 4)

“Power Grab” Mini Lesson | Answer Key

Slide 25 | Executive Branch Power Grab | 100pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***The Constitution guarantees every state a republican form of government, so the President cannot suspend democracy (Article IV, Section 4)*** pg. 15-16

Slide 26 | Legislative Branch Power Grab | 10pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** Congress passes a law taxing 10% on lumber being exported from Oregon to Texas. (Article I, Section 9, Paragraph 5)

Slide 27 | Legislative Branch Power Grab | 10pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***The Constitution prohibits taxing exports from one state to another (Article I, Section 9, Clause 5)*** pg. 8

Slide 28 | Legislative Branch Power Grab | 20pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** Congress passes a law that people from Washington may not drive cars in Oregon because of pollution. (Article IV, Section 2, Paragraph 1)

Slide 29 | Legislative Branch Power Grab | 20pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next **Power Grab** in the group.
- ***“The Privilege and Immunities Clause” of Article IV prevents states from discriminating against citizens of other US states (Article IV, Section 2, Paragraph 1)*** pg. 15

Slide 30 | Legislative Branch Power Grab | 30pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **c**

Slide 32 | Legislative Branch Power Grab | 40pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** Congress decides that beards are illegal; anyone who wore one in the last year must pay a \$100 fine (Article I, Section 9, Paragraph 3).

Slide 33 | **Legislative Branch Power Grab | 40pts Answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***Congress is prohibited from passing an ex post facto law (a law that criminalizes some action that was not a crime at the time it was committed) (Article I, Section 9, Paragraph 3) pg. 8***

Slide 34 | **Legislative Branch Power Grab | 50pts**

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** Congress decides to impeach the President with the President Pro Tempore of the Senate presiding. (Article I, Section 3, Paragraph 5)

Slide 35 | **Legislative Branch Power Grab | 50pts Answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***In an impeachment trial, the Chief Justice presides over the impeachments, not the President Pro Tempore of the Senate (Note: impeachment is when Congress formally charges a government official with a crime, in this case the President, which leads to a trial overseen by the Senate). (Article I, Section 3, Paragraph 6) pg. 3***

“Power Grab” Mini Lesson | Answer Key

Slide 36 | Legislative Branch Power Grab | 60pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** A House member dies; the House takes four days off to mourn, but the Senate says they can only have two days off. (Article I, Section 5, Paragraph 4)

Slide 37 | Legislative Branch Power Grab | 60pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***Neither chamber of Congress can adjourn for longer than three days while in session, without the consent of the other (Article I, Section 5, Paragraph 4) pg. 4***

Slide 38 | Legislative Branch Power Grab | 70pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** Congress passes a law naming 15 university students guilty of crimes against the government and orders them expelled from school without a trial (a bill of attainder). (Article I, Section 9, Paragraph 3) *A “Bill of Attainder” is a legislative act that declares a person or group guilty of a crime and punishes them without a judicial trial.*

Slide 39 | Legislative Branch Power Grab | 70pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***The Constitution prohibits the passing of a “Bill of Attainder”, meaning they cannot be punished without a fair trial (Article I, Section 9, Paragraph 3) pg. 8; A “Bill of Attainder” is a legislative act that declares a person or group guilty of a crime and punishes them without a judicial trial.***

Slide 40 | Legislative Branch Power Grab | 80pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** Congress passes a law that says that Tennesseans upset with Georgia’s new highway can sue GA in TN’s Supreme Court. (Amendment 11).

Slide 41 | Legislative Branch Power Grab | 80pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***The 11th Amendment prohibits an individual from suing a neighboring state due to its implied sovereign immunity (Note: This provision, originally allowed in Article III, Section 2, was removed by Amendment 11)*** pg. 22

Slide 42 | Legislative Branch Power Grab | 90pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** Congress decides because of the contributions of Pete Rose in baseball; they will honor him with the title, "Sir Pete Rose". (Article I, Section 10, Paragraph 1).

Slide 43 | Legislative Branch Power Grab | 90pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***In the United States, it is unlawful to grant anyone any title of nobility (Article I, Section 10, Paragraph 1)*** pg. 9

Slide 44 | Legislative Branch Power Grab | 100pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** Congress decides to change the Constitution, without the approval of the states, to allow the President to be elected to three terms. (Article IV or Amendment 22)

Slide 45 | Legislative Branch Power Grab | 100pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***The 22nd Amendment establishes term limits for U.S. Presidents. Congress cannot amend the Constitution alone; it must be ratified by three-fourths of the states (Article V and Amendment 22)*** pg. 16 & pg. 30

“Power Grab” Mini Lesson | Answer Key

Slide 46 | Judicial Branch Power Grab | 10pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The Court rules that the government may not issue patents because of the need for technological advances (Article I, Section 8, Paragraph 8).

Slide 47 | **Judicial Branch Power Grab | 10pts Answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***Congress promotes progress by securing patents and copyrights. Preventing patents would violate this constitutional authority (Article I, Section 8, Paragraph 8) pg. 6***

Slide 48 | Judicial Branch Power Grab | 20pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** Since Washington D.C. is not in any state, residents there may not vote in national elections (Amendment 23).

Slide 49 | **Judicial Branch Power Grab | 20pts Answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***The 23rd Amendment grants residents of Washington D.C the right to vote in national elections. It allows D.C to appoint representatives for the Electoral College (Amendment 23) pg. 30-31***

Slide 50 | Judicial Branch Power Grab | 30pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The Court rules that because of our large national debt, the U.S. can no longer borrow money (Article I, Section 8, Paragraph 2).

Slide 51 | **Judicial Branch Power Grab | 30pts Answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***Article I of the Constitution allows Congress to borrow money on the credit of the US (Article I, Section 8, Paragraph 2) pg. 6***

Slide 52 | Judicial Branch Power Grab | 40pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The Court decides that religion and politics don't mix, therefore; no government official is required to take an oath of office. (Article II, Section 1, Paragraph 8 or Article VI, Section 3).

Slide 53 | **Judicial Branch Power Grab | 40pts Answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***Both Articles require that all federal officials take an oath to uphold the Constitution. Officials cannot skip the oath, even for religious or political reasons (Article II, Section 1, Paragraph 8 and Article VI, Paragraph 3) pg. 11 and pg. 17***

Slide 54 | Judicial Branch Power Grab | 50pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The ambassador to Spain is brought home and tried in a New York court for crimes. (Article III, Section 2, Paragraph 1)

Slide 55 | **Judicial Branch Power Grab | 50pts Answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- ***Only the Supreme Court can try “Cases affecting Ambassadors, other public Ministers and Consuls,” and therefore the Ambassador cannot be tried in New York (Article III, Section 2, Paragraph 1) pg. 13***

Slide 56 | Judicial Branch Power Grab | 60pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The Supreme Court rules that regardless of congressional statute, the heads of departments may no longer make appointments of inferior officers, but only the President of the U.S. (Article II, Section 2, Paragraph 2)

“Power Grab” Mini Lesson | Answer Key

Slide 57 | Judicial Branch Power Grab | 60pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next **Power Grab** in the group.
- **The Constitution gives only Congress the right to determine whether a Head of Department may make appointments to inferior office, not the Court. (Article II, Section 2, Paragraph 2) pg. 12**

Slide 58 | Judicial Branch Power Grab | 70pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** A male teacher sues over sexual discrimination by taking the case directly to the Supreme Court. (Article III, Section 2, Paragraph 2)

Slide 59 | Judicial Branch Power Grab | 70pts answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next **Power Grab** in the group.
- **The Supreme Court does not have original jurisdiction over matters at the local level. The teacher could appeal a lower court’s ruling to the Supreme Court. (Article III, Section 2, Paragraph 2) pg. 14**

Slide 60 | Judicial Branch Power Grab | 80pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The Court rules that income tax is illegal, and you don't have to pay (Amendment 16).

Slide 61 | Judicial Branch Power Grab | 80pts Answer

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next **Power Grab** in the group.
- **The 16th Amendment gives Congress the right to “lay and collect taxes on income,” not the court. (Amendment 16) pg. 26**

Slide 62 | Judicial Branch Power Grab | 90pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The Court rules that, because of the difficulty in finding honest, qualified candidates, they will allow Senator Howard Baker to serve concurrently as Secretary of the Interior. (Article I, Section 6, Paragraph 2)

Slide 63 | **Judicial Branch Power Grab | 90pts Answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next **Power Grab** in the group.
- **A sitting senator cannot be appointed to any civil office of United States. (Article I, Section 6, Paragraph 2) pg. 5**

Slide 64 | Judicial Branch Power Grab | 100pts

- Advance slide to start timer (click, right arrow, or space key). Advance a second time to end timer. Advance a third time to reveal the answer.
- **Power Grab Question:** The Courts find a defendant guilty of treason based on the testimony of one witness. (Article III, Section 3, Paragraph 1)

Slide 65 | **Judicial Branch Power Grab | 100pts answer**

- Click “Return Home” to choose another Power Grab. Advance Slide to go to the next Power Grab in the group.
- **The Court can’t find a defendant guilty of treason based on the testimony of one witness alone, *because it requires the testimony of two witnesses.* (Article III, Section 3, Paragraph 1) pg. 14**



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