



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

**Testimony in Support of House Bill 2573
Requiring students pass an American civics test in order to graduate with a high school diploma.**

**Presented to the House Committee on Education
By Kansas Attorney General Derek Schmidt**

February 11, 2020

Chairman Huebert and Members of the Committee:

Thank you for this opportunity to testify in support of House Bill 2573, which proposes to require Kansas students to pass an American civics test, similar to the United States Citizenship Test, in order to graduate from high school.

I have had a long interest in proposals to increase civic education in our Kansas schools. In fact, in 2015, I presented a very similar proposal to the one you are considering today before the Kansas State Board of Education. While the Board did not adopt my recommendation of making the test a graduation requirement, that presentation did contribute to the creation of the Civic Advocacy Network, which recognizes Kansas schools who have exemplified civic engagement practices in their schools.

The Critical Civic Mission of Schools

I share the view that “the well-being of our body politic is best served by an informed, engaged citizenry that *understands how and why our system of government works*” and that “the country shortchanges the civic mission of its schools at its peril.”¹

Noting data that only one-third of Americans trust the federal government as an institution, in preface to the 2011 report “Guardian of Democracy: The Civic Mission of Schools,” Justice Sandra Day O’Connor and Congressman Lee Hamilton wrote:

¹ “Guardian of Democracy: The Civic Mission of Schools,” The Lenore Annenberg Institute for Civics of the Annenberg Public Policy Center at the University of Pennsylvania and the Campaign for the Civic Mission of Schools (2011), available at https://production-carnegie.s3.amazonaws.com/filer_public/ab/dd/abdda62e-6e84-47a4-a043-348d2f2085ae/ccny_grantee_2011_guardian.pdf (last accessed February 10, 2020), p. 4 (emphasis added).

“[M]any believe that the democratic process ... is growing incapable of meeting America’s great national challenges. ... When this distrust leads to disengagement, cynicism, and a national attention span that fails to see politics as much more than a series of elections and scandals, it distracts from the many challenges that we as a society must face – and can only face together through civic and political engagement. The great national challenges of our times can only be solved by an engaged citizenry knowledgeable about our problems and how best to solve them.”²

The data-based criticism of civic learning is well-known and consistent. For example, the results of a national survey released last year on Constitution Day were, unfortunately, not unusual:

- Only two in five (39%) Americans were able to name all three branches of government. More than one-fifth (22%) couldn’t name a single branch.
- Only half (53%) knew that a two-thirds vote of Congress is required to override a presidential veto.
- One in five (21%) believed that if the president and the Supreme Court disagree on whether an action of the president is constitutional, Congress has the final responsibility for determining whether the act was constitutional.³

Justice O’Connor and Congressman Hamilton noted that bringing a “high-quality civic education to every American student requires more than individual programs and curricula” but instead “requires a systematic approach that is only possible through public policy.”⁴ Notable among the recommendations of the Guardian of Democracy report:

- For local schools and administrators: “Encourage student participation in in-school and out-of-school civic learning experiences” and “[u]se civic learning to build twenty-first century skills, help prevent dropouts, and improve school climate.”
- For state policymakers: “Send a strong message that preparation for active, informed citizenship is the co-equal purpose of education along with preparation for higher education and career.”⁵

It is in the spirit of those recommendations – for state policymakers to “[s]end a strong message” of their commitment to civic education and for all to “[e]ncourage student participation in in-school and out-of-school civic learning experiences” – that I am here today.

There is no cure-all to resolve this gap between the lack of civic knowledge and the nation’s vital need for it, and I am well aware of the dedicated and ongoing work of civics and government

² Id. at 5.

³ News release, “Americans’ Civics Knowledge Increases But Still Has a Long Way to Go,” Annenberg Public Policy Center – University of Pennsylvania (September 12, 2019), available at <https://www.annenbergpublicpolicycenter.org/americans-civics-knowledge-increases-2019-survey/> (last accessed February 10, 2020).

⁴ Guardian of Democracy report, at 4.

⁵ Id. at 41.

instructors and other leaders throughout Kansas schools. I admire their work, have worked with many in the past, and offer this recommendation today in the spirit of offering an additional tool to *assist and contribute* to their dedicated efforts – not to micromanage or second-guess them. It is a recommendation borrowed from a tried-and-true source: The longstanding process our nation relies upon in creating *new* citizens from immigrants.

The Civics (History and Government) Questions for the Naturalization Test

From time to time, I have had the privilege of addressing classes of new Americans at naturalization ceremonies in our state. Without exception, these are moving occasions: Joining with people from throughout the world who still today, like so many generations before them, leave their lands, uproot their families and their lives, and come to the United States in pursuit of liberty and opportunity in our great nation. They believe in the promise of America and are willing to reshape their lives to pursue it.

During these ceremonies, I sometimes reflect on how much we demand of those who wish to become American citizens by their own choice. In many ways, it is more than we demand of those fortunate to have been *born* to citizenship. As I have on occasion said to newly naturalized citizens, “The nature of citizenship is not always fully understood or appreciated by those to whom it came without effort.”

One of the requirements we impose on naturalized citizens is that they take and pass the Naturalization Test administered by the U.S. Citizenship and Immigration Services. This test includes 100 questions in civics – history and government – that are basic to any understanding of how our system of government operates and the principles upon which it rests. I have attached as Exhibit 1 a copy of the current test that is posted on the USCIS website. If you review it, I think you will agree it presents basic information about the workings of our republic that every citizen should know.

“Knowledge of our system of governance and our rights and responsibilities as citizens is not passed along through the gene pool. Each generation of Americans must be taught these basics. Families and parents have a key role to play, yet our schools remain the one universal experience we all have to gain civic knowledge and skills. That is the civic mission of schools.”⁶

Justice Sandra Day O’Connor and Congressman Lee Hamilton

⁶ Guardian of Democracy report, at 5.

There is a national movement to require that every state make passage of the Naturalization Test a requirement for graduation from public schools.⁷ The concept – that the country would be well-served by applying to all of us the same measure of basic civic knowledge we insist upon for new immigrants – strikes me as eminently sensible.

A 2018 report by Education Week showed that 19 states require a civics exam to graduate from high school.⁸ At least seven states considered legislation to expand civic education requirements in 2019.⁹

Conclusion

The basic idea of requiring passage of the citizenship test seems to me unassailable: We should combat the natural human tendency to take for granted that which comes easily – such as citizenship for those of us born to it – and a ready way to do so is to hold us to the same standard for knowledge (or, viewed a different way, to give us the same *opportunity*) as those who *choose* to join our citizenry.

I encourage you to pass House Bill 2573. Thank you.

⁷ See <http://civicseducationinitiative.com/> (last accessed February 10, 2020).

⁸ “Data: Most States Require History, But Not Civics,” Education Week (October 23, 2018), available at <https://www.edweek.org/ew/section/multimedia/data-most-states-require-history-but-not.html> (last accessed February 10, 2020).

⁹ “Civics Education Bills Are on Legislative Agendas in Seven States,” Sasha Jones, Education Week (March 5, 2019), available at http://blogs.edweek.org/edweek/curriculum/2019/03/states_introduce_legislation_t.html (last accessed February 10, 2020).



Civics (History and Government) Questions for the Naturalization Test

The 100 civics (history and government) questions and answers for the naturalization test are listed below. The civics test is an oral test and the USCIS Officer will ask the applicant up to 10 of the 100 civics questions. An applicant must answer 6 out of 10 questions correctly to pass the civics portion of the naturalization test.

On the naturalization test, some answers may change because of elections or appointments. As you study for the test, make sure that you know the most current answers to these questions. Answer these questions with the name of the official who is serving at the time of your eligibility interview with USCIS. The USCIS Officer will not accept an incorrect answer.

Although USCIS is aware that there may be additional correct answers to the 100 civics questions, applicants are encouraged to respond to the civics questions using the answers provided below.

AMERICAN GOVERNMENT

A: Principles of American Democracy

- 1. What is the supreme law of the land?**
 - *the Constitution*
- 2. What does the Constitution do?**
 - *sets up the government*
 - *defines the government*
 - *protects basic rights of Americans*
- 3. The idea of self-government is in the first three words of the Constitution. What are these words?**
 - *We the People*
- 4. What is an amendment?**
 - *a change (to the Constitution)*
 - *an addition (to the Constitution)*
- 5. What do we call the first ten amendments to the Constitution?**
 - *the Bill of Rights*
- 6. What is one right or freedom from the First Amendment?***
 - *speech*
 - *religion*
 - *assembly*
 - *press*
 - *petition the government*
- 7. How many amendments does the Constitution have?**
 - *twenty-seven (27)*

* If you are 65 years old or older and have been a legal permanent resident of the United States for 20 or more years, you may study just the questions that have been marked with an asterisk.

8. **What did the Declaration of Independence do?**
 - *announced our independence (from Great Britain)*
 - *declared our independence (from Great Britain)*
 - *said that the United States is free (from Great Britain)*
9. **What are two rights in the Declaration of Independence?**
 - *life*
 - *liberty*
 - *pursuit of happiness*
10. **What is freedom of religion?**
 - *You can practice any religion, or not practice a religion.*
11. **What is the economic system in the United States?***
 - *capitalist economy*
 - *market economy*
12. **What is the “rule of law”?**
 - *Everyone must follow the law.*
 - *Leaders must obey the law.*
 - *Government must obey the law.*
 - *No one is above the law.*

B: System of Government

13. **Name one branch or part of the government.***
 - *Congress*
 - *legislative*
 - *President*
 - *executive*
 - *the courts*
 - *judicial*
14. **What stops one branch of government from becoming too powerful?**
 - *checks and balances*
 - *separation of powers*
15. **Who is in charge of the executive branch?**
 - *the President*
16. **Who makes federal laws?**
 - *Congress*
 - *Senate and House (of Representatives)*
 - *(U.S. or national) legislature*
17. **What are the two parts of the U.S. Congress?***
 - *the Senate and House (of Representatives)*
18. **How many U.S. Senators are there?**
 - *one hundred (100)*

* If you are 65 years old or older and have been a legal permanent resident of the United States for 20 or more years, you may study just the questions that have been marked with an asterisk.

19. **We elect a U.S. Senator for how many years?**
 - *six (6)*
20. **Who is one of your state's U.S. Senators now?***
 - *Answers will vary. [District of Columbia residents and residents of U.S. territories should answer that D.C. (or the territory where the applicant lives) has no U.S. Senators.]*
21. **The House of Representatives has how many voting members?**
 - *four hundred thirty-five (435)*
22. **We elect a U.S. Representative for how many years?**
 - *two (2)*
23. **Name your U.S. Representative.**
 - *Answers will vary. [Residents of territories with nonvoting Delegates or Resident Commissioners may provide the name of that Delegate or Commissioner. Also acceptable is any statement that the territory has no (voting) Representatives in Congress.]*
24. **Who does a U.S. Senator represent?**
 - *all people of the state*
25. **Why do some states have more Representatives than other states?**
 - *(because of) the state's population*
 - *(because) they have more people*
 - *(because) some states have more people*
26. **We elect a President for how many years?**
 - *four (4)*
27. **In what month do we vote for President?***
 - *November*
28. **What is the name of the President of the United States now?***
 - *Visit uscis.gov/citizenship/testupdates for the name of the President of the United States.*
29. **What is the name of the Vice President of the United States now?**
 - *Visit uscis.gov/citizenship/testupdates for the name of the Vice President of the United States.*
30. **If the President can no longer serve, who becomes President?**
 - *the Vice President*
31. **If both the President and the Vice President can no longer serve, who becomes President?**
 - *the Speaker of the House*
32. **Who is the Commander in Chief of the military?**
 - *the President*
33. **Who signs bills to become laws?**
 - *the President*
34. **Who vetoes bills?**
 - *the President*
35. **What does the President's Cabinet do?**
 - *advises the President*

* If you are 65 years old or older and have been a legal permanent resident of the United States for 20 or more years, you may study just the questions that have been marked with an asterisk.

36. What are two Cabinet-level positions?

- *Secretary of Agriculture*
- *Secretary of Commerce*
- *Secretary of Defense*
- *Secretary of Education*
- *Secretary of Energy*
- *Secretary of Health and Human Services*
- *Secretary of Homeland Security*
- *Secretary of Housing and Urban Development*
- *Secretary of the Interior*
- *Secretary of Labor*
- *Secretary of State*
- *Secretary of Transportation*
- *Secretary of the Treasury*
- *Secretary of Veterans Affairs*
- *Attorney General*
- *Vice President*

37. What does the judicial branch do?

- *reviews laws*
- *explains laws*
- *resolves disputes (disagreements)*
- *decides if a law goes against the Constitution*

38. What is the highest court in the United States?

- *the Supreme Court*

39. How many justices are on the Supreme Court?

- *Visit uscis.gov/citizenship/testupdates for the number of justices on the Supreme Court.*

40. Who is the Chief Justice of the United States now?

- *Visit uscis.gov/citizenship/testupdates for the name of the Chief Justice of the United States.*

41. Under our Constitution, some powers belong to the federal government. What is one power of the federal government?

- *to print money*
- *to declare war*
- *to create an army*
- *to make treaties*

42. Under our Constitution, some powers belong to the states. What is one power of the states?

- *provide schooling and education*
- *provide protection (police)*
- *provide safety (fire departments)*
- *give a driver's license*
- *approve zoning and land use*

* If you are 65 years old or older and have been a legal permanent resident of the United States for 20 or more years, you may study just the questions that have been marked with an asterisk.

43. **Who is the Governor of your state now?**
- *Answers will vary. [District of Columbia residents should answer that D.C. does not have a Governor.]*
44. **What is the capital of your state?***
- *Answers will vary. [District of Columbia residents should answer that D.C. is not a state and does not have a capital. Residents of U.S. territories should name the capital of the territory.]*
45. **What are the two major political parties in the United States?***
- *Democratic and Republican*
46. **What is the political party of the President now?**
- *Visit uscis.gov/citizenship/testupdates for the political party of the President.*
47. **What is the name of the Speaker of the House of Representatives now?**
- *Visit uscis.gov/citizenship/testupdates for the name of the Speaker of the House of Representatives.*

C: Rights and Responsibilities

48. **There are four amendments to the Constitution about who can vote. Describe one of them.**
- *Citizens eighteen (18) and older (can vote).*
 - *You don't have to pay (a poll tax) to vote.*
 - *Any citizen can vote. (Women and men can vote.)*
 - *A male citizen of any race (can vote).*
49. **What is one responsibility that is only for United States citizens?***
- *serve on a jury*
 - *vote in a federal election*
50. **Name one right only for United States citizens.**
- *vote in a federal election*
 - *run for federal office*
51. **What are two rights of everyone living in the United States?**
- *freedom of expression*
 - *freedom of speech*
 - *freedom of assembly*
 - *freedom to petition the government*
 - *freedom of religion*
 - *the right to bear arms*
52. **What do we show loyalty to when we say the Pledge of Allegiance?**
- *the United States*
 - *the flag*
53. **What is one promise you make when you become a United States citizen?**
- *give up loyalty to other countries*
 - *defend the Constitution and laws of the United States*
 - *obey the laws of the United States*
 - *serve in the U.S. military (if needed)*
 - *serve (do important work for) the nation (if needed)*
 - *be loyal to the United States*

* If you are 65 years old or older and have been a legal permanent resident of the United States for 20 or more years, you may study just the questions that have been marked with an asterisk.

- 54. How old do citizens have to be to vote for President?***
- *eighteen (18) and older*
- 55. What are two ways that Americans can participate in their democracy?**
- *vote*
 - *join a political party*
 - *help with a campaign*
 - *join a civic group*
 - *join a community group*
 - *give an elected official your opinion on an issue*
 - *call Senators and Representatives*
 - *publicly support or oppose an issue or policy*
 - *run for office*
 - *write to a newspaper*
- 56. When is the last day you can send in federal income tax forms?***
- *April 15*
- 57. When must all men register for the Selective Service?**
- *at age eighteen (18)*
 - *between eighteen (18) and twenty-six (26)*

AMERICAN HISTORY

A: Colonial Period and Independence

- 58. What is one reason colonists came to America?**
- *freedom*
 - *political liberty*
 - *religious freedom*
 - *economic opportunity*
 - *practice their religion*
 - *escape persecution*
- 59. Who lived in America before the Europeans arrived?**
- *American Indians*
 - *Native Americans*
- 60. What group of people was taken to America and sold as slaves?**
- *Africans*
 - *people from Africa*
- 61. Why did the colonists fight the British?**
- *because of high taxes (taxation without representation)*
 - *because the British army stayed in their houses (boarding, quartering)*
 - *because they didn't have self-government*

* If you are 65 years old or older and have been a legal permanent resident of the United States for 20 or more years, you may study just the questions that have been marked with an asterisk.

- 62. Who wrote the Declaration of Independence?**
- *(Thomas) Jefferson*
- 63. When was the Declaration of Independence adopted?**
- *July 4, 1776*
- 64. There were 13 original states. Name three.**
- *New Hampshire*
 - *Massachusetts*
 - *Rhode Island*
 - *Connecticut*
 - *New York*
 - *New Jersey*
 - *Pennsylvania*
 - *Delaware*
 - *Maryland*
 - *Virginia*
 - *North Carolina*
 - *South Carolina*
 - *Georgia*
- 65. What happened at the Constitutional Convention?**
- *The Constitution was written.*
 - *The Founding Fathers wrote the Constitution.*
- 66. When was the Constitution written?**
- *1787*
- 67. The Federalist Papers supported the passage of the U.S. Constitution. Name one of the writers.**
- *(James) Madison*
 - *(Alexander) Hamilton*
 - *(John) Jay*
 - *Publius*
- 68. What is one thing Benjamin Franklin is famous for?**
- *U.S. diplomat*
 - *oldest member of the Constitutional Convention*
 - *first Postmaster General of the United States*
 - *writer of “Poor Richard’s Almanac”*
 - *started the first free libraries*
- 69. Who is the “Father of Our Country”?**
- *(George) Washington*
- 70. Who was the first President?***
- *(George) Washington*

* If you are 65 years old or older and have been a legal permanent resident of the United States for 20 or more years, you may study just the questions that have been marked with an asterisk.

B: 1800s

71. What territory did the United States buy from France in 1803?

- *the Louisiana Territory*
- *Louisiana*

72. Name one war fought by the United States in the 1800s.

- *War of 1812*
- *Mexican-American War*
- *Civil War*
- *Spanish-American War*

73. Name the U.S. war between the North and the South.

- *the Civil War*
- *the War between the States*

74. Name one problem that led to the Civil War.

- *slavery*
- *economic reasons*
- *states' rights*

75. What was one important thing that Abraham Lincoln did?*

- *freed the slaves (Emancipation Proclamation)*
- *saved (or preserved) the Union*
- *led the United States during the Civil War*

76. What did the Emancipation Proclamation do?

- *freed the slaves*
- *freed slaves in the Confederacy*
- *freed slaves in the Confederate states*
- *freed slaves in most Southern states*

77. What did Susan B. Anthony do?

- *fought for women's rights*
- *fought for civil rights*

C: Recent American History and Other Important Historical Information

78. Name one war fought by the United States in the 1900s.*

- *World War I*
- *World War II*
- *Korean War*
- *Vietnam War*
- *(Persian) Gulf War*

79. Who was President during World War I?

- *(Woodrow) Wilson*

80. Who was President during the Great Depression and World War II?

- *(Franklin) Roosevelt*

* If you are 65 years old or older and have been a legal permanent resident of the United States for 20 or more years, you may study just the questions that have been marked with an asterisk.

- 81. Who did the United States fight in World War II?**
- *Japan, Germany, and Italy*
- 82. Before he was President, Eisenhower was a general. What war was he in?**
- *World War II*
- 83. During the Cold War, what was the main concern of the United States?**
- *Communism*
- 84. What movement tried to end racial discrimination?**
- *civil rights (movement)*
- 85. What did Martin Luther King, Jr. do?***
- *fought for civil rights*
 - *worked for equality for all Americans*
- 86. What major event happened on September 11, 2001, in the United States?**
- *Terrorists attacked the United States.*
- 87. Name one American Indian tribe in the United States.**
[USCIS Officers will be supplied with a list of federally recognized American Indian tribes.]
- *Cherokee*
 - *Navajo*
 - *Sioux*
 - *Chippewa*
 - *Choctaw*
 - *Pueblo*
 - *Apache*
 - *Iroquois*
 - *Creek*
 - *Blackfeet*
 - *Seminole*
 - *Cheyenne*
 - *Arawak*
 - *Shawnee*
 - *Mohegan*
 - *Huron*
 - *Oneida*
 - *Lakota*
 - *Crow*
 - *Teton*
 - *Hopi*
 - *Inuit*

* If you are 65 years old or older and have been a legal permanent resident of the United States for 20 or more years, you may study just the questions that have been marked with an asterisk.

INTEGRATED CIVICS

A: Geography

88. Name one of the two longest rivers in the United States.

- *Missouri (River)*
- *Mississippi (River)*

89. What ocean is on the West Coast of the United States?

- *Pacific (Ocean)*

90. What ocean is on the East Coast of the United States?

- *Atlantic (Ocean)*

91. Name one U.S. territory.

- *Puerto Rico*
- *U.S. Virgin Islands*
- *American Samoa*
- *Northern Mariana Islands*
- *Guam*

92. Name one state that borders Canada.

- *Maine*
- *New Hampshire*
- *Vermont*
- *New York*
- *Pennsylvania*
- *Ohio*
- *Michigan*
- *Minnesota*
- *North Dakota*
- *Montana*
- *Idaho*
- *Washington*
- *Alaska*

93. Name one state that borders Mexico.

- *California*
- *Arizona*
- *New Mexico*
- *Texas*

94. What is the capital of the United States?*

- *Washington, D.C.*

95. Where is the Statue of Liberty?*

- *New York (Harbor)*
- *Liberty Island*

[Also acceptable are New Jersey, near New York City, and on the Hudson (River).]

* If you are 65 years old or older and have been a legal permanent resident of the United States for 20 or more years, you may study just the questions that have been marked with an asterisk.

B: Symbols

- 96. Why does the flag have 13 stripes?**
- *because there were 13 original colonies*
 - *because the stripes represent the original colonies*
- 97. Why does the flag have 50 stars?***
- *because there is one star for each state*
 - *because each star represents a state*
 - *because there are 50 states*
- 98. What is the name of the national anthem?**
- *The Star-Spangled Banner*

C: Holidays

- 99. When do we celebrate Independence Day?***
- *July 4*
- 100. Name two national U.S. holidays.**
- *New Year's Day*
 - *Martin Luther King, Jr. Day*
 - *Presidents' Day*
 - *Memorial Day*
 - *Independence Day*
 - *Labor Day*
 - *Columbus Day*
 - *Veterans Day*
 - *Thanksgiving*
 - *Christmas*

* If you are 65 years old or older and have been a legal permanent resident of the United States for 20 or more years, you may study just the questions that have been marked with an asterisk.