



Powers of Congress

Expressed, Implied, and Inherent

Expressed Powers of Congress

“Congress shall have the power to tax...”

What does it mean to tax?

Taking public \$ for government use.



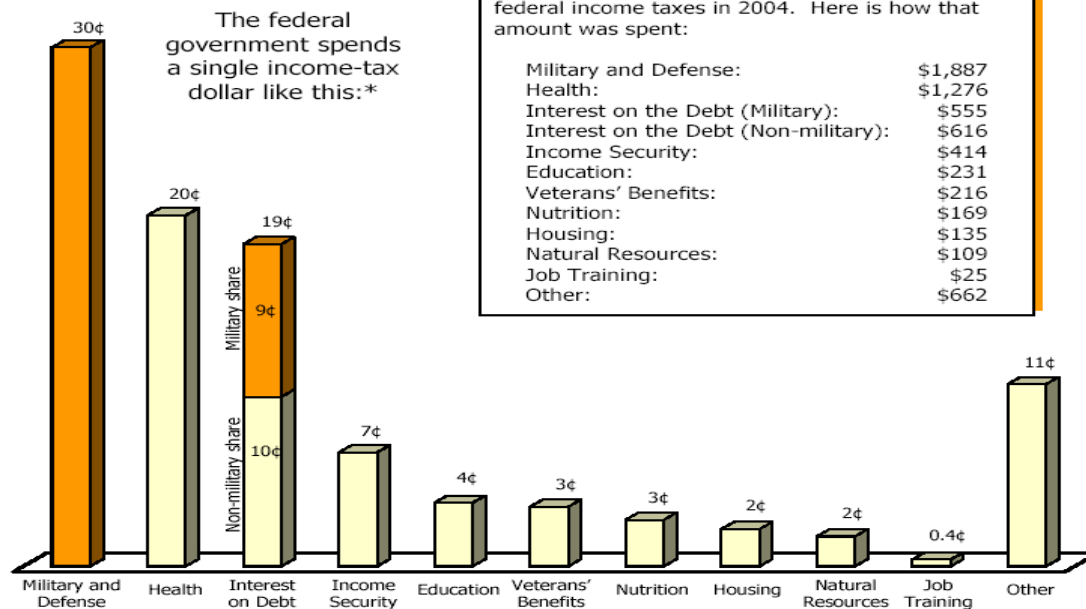
Why is it important?

Pays for many public services that serve and protect citizens. (Schools, Roads, Military, etc..)

Expressed Powers of Congress

Power to tax (con't)

Where does our money go?



Expressed Powers of Congress

Power to tax (con't)

Types of taxes

1. Tariffs- taxes levied against imported goods

What is the goal?

To encourage the buying of American made products, since foreign products will be more expensive.



Expressed Powers of Congress

Types of taxes (con't)

2. **Direct Taxes-** paid by the person they are levied against.

Examples: Income Tax

3. **Indirect Taxes-** paid by one person and passed on to another.

Examples: Sales Tax



Frank begins to seriously question which is worse-- death or taxes.

Expressed Powers of Congress

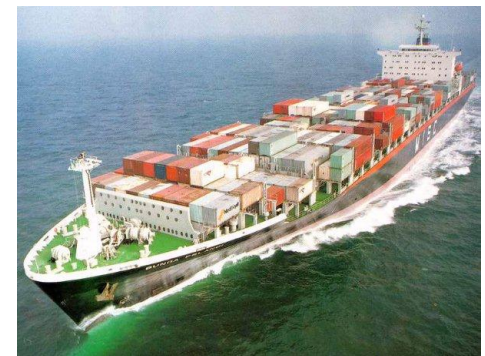
“Congress shall have the power to regulate commerce...”

This means?

They can regulate foreign and interstate trade.
(power is very vague)

Ex: Setting a minimum wage

Limits: can not tax exports, must treat all ports of entry equally



Expressed Powers of Congress

“Congress shall have the power to coin money...”

The Currency Power includes:

1. **Coining money** = determining the types of currency to use and to make it (i.e. coins, bills)

In the past- half-cent, 2-cent, 3-cent, 20-cent, \$2.50, \$3.00, \$4.00, \$5.00, \$10.00, and \$20.00

Today- 1, 5, 10, 25, 50 cent and \$1 coins



Expressed Powers of Congress

For bills (present)-



Expressed Powers of Congress

For Bills (Past)



**All large denominations were out of circulation by 1969.

Expressed Powers of Congress

The Currency Power also includes:

2. Regulating its worth

How did a bill made out of a form of cloth come to have value for goods and services?

In the past, they backed the bills with precious metals (silver, gold, platinum), thus given it value.

What does that mean? Basically, you could (in theory) trade it in for certain amount of silver or gold.

**Today it is accepted that the US dollar has value. (no standard is needed)



Expressed Powers of Congress

“Congress has the power to borrow...”

Borrowing involves: using money to finance projects that are not in the budget.

There is no Constitutional ceiling on how much can be borrowed.

Borrowing leads to: **DEBT!!**



Expressed Powers of Congress

Borrowing con't

U.S. NATIONAL DEBT CLOCK

The Outstanding Public Debt as of:

\$10,624,723,553,644.29

To understand the severity of the debt, we need to break down what a trillion is.

How big is it? If you had gone into business on the day Jesus was born, and your business lost a million dollars a day, day in and day out, 365 days a year, it would have taken you until October 2737 to lose a trillion dollars.

Expressed Powers of Congress

Whose debt is it?

It is owned by the Federal gov't., but private citizens can buy some of the debt in the form of savings bonds and government bonds.

Currently, many outside nations owe money to the US that goes unpaid.

Why can't we just print more money?

Inflation: more supply lessens the value



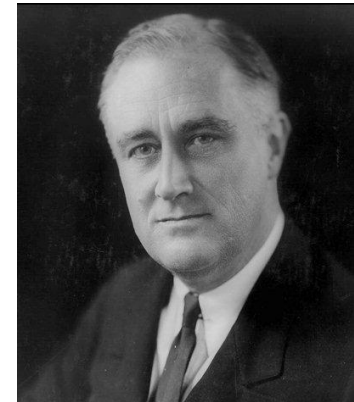
Expressed Powers of Congress

Why is it so high?

Most of the spending is a result of financing things not in the budget (i.e. War)

Interest on a large sum, is extremely high.

(For each dollar of taxes, 19 cents goes to paying just the interest on the debt)

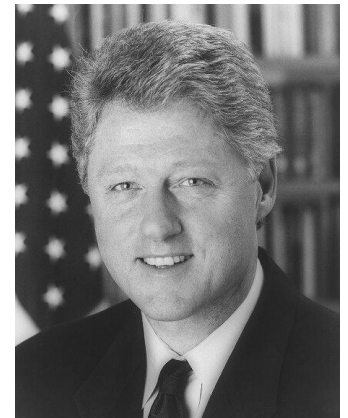


The first President to start deficit spending was:

FDR

The last President to have a balanced budget was:

Bill Clinton



Expressed Powers of Congress

“Congress shall form uniform laws concerning bankruptcy...”

When someone declares bankruptcy, they:

Can't pay their debt!!

Congress has passed laws that protect both creditors and debtors...



Expressed Powers of Congress

So what happens?

The creditor is entitled to payment in some form. A person's assets will be seized and sold. The money will be given to the creditors.

The amount of debt owed by the debtor is wiped clean, once the assets are seized.

The Problem: The debtor will have a hard time getting any loans or credit from any bank or business, making it hard to buy major things.

Expressed Powers of Congress

“Congress will establish a uniform Rule of Naturalization...”

Naturalization: Process of becoming a US citizen



© Copyright 2002 Corbis

Naturalization Ceremony

Natural born = born in US territory or on US owned property, or to a US citizen.

Naturalized = citizenship gained from another country.

Expressed Powers of Congress

The Basic Process:

Must live in the US for 5 years (half must be spent in US)

Must be 18 years old

Must speak basic English

Must pass a basic civic's exam

Must pledge an oath of loyalty
to the US

(Can not have a criminal record)



Expatriation: citizenship can be revoked only for naturalized citizens

Expressed Powers of Congress

Sample Test Questions

- ◆ How many stars are there in our flag?
- ◆ How many states are there in the Union?
- ◆ What color are the stars on our flag?
- ◆ What do the stars on the flag mean?
- ◆ How many stripes are there in the flag?
- ◆ What date is the Day of Independence?
- ◆ Independence from whom?
- ◆ What country did we fight during the revolutionary war?
- ◆ Who was the first president of the United States?
- ◆ What do we call a change of the constitution?

Expressed Powers of Congress

“Congress has the power to establish Post Offices and post Roads...”

Meaning they set up post offices (over 39,000 today)

And establish routes (including airways, railroads, and waterways)



Expressed Powers of Congress

They also determine what can be legally carried in the mail and crimes related to the mail.

**All mail crimes are federal crimes*

EX: tampering with mail, use mail to commit fraud, damaging federal mailboxes.



Expressed Powers of Congress

“Congress shall promote the Progress of Science and useful Arts by securing...exclusive Right to their respective writings and Discoveries.”

Copyright-

Exclusive right to an author for the publication and resale of their work.

Length: Good for life plus 70 years



Expressed Powers of Congress

Patent-

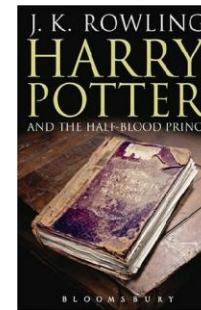
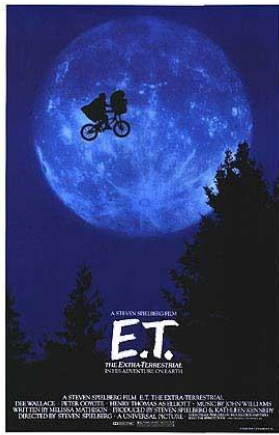
Exclusive right to a person to manufacture, use, or sell any new invention.

Length: 20 years

Intellectual property covered:

Books, magazines, paintings, movies, design patents, photos, trademarks, trade secrets, etc.,

Expressed Powers of Congress



3-peat!



Expressed Powers of Congress

“Congress can fix the Standard Weights and Measures...”

*Allows for an accurate, uniform gauge of time, distance, area, weight, volume, etc.

We use:

The English System

Ex: pounds, miles, inches, ounces, gallons, etc.



Congress has also legalized the use of the metric system.

Expressed Powers of Congress

“Congress has the power to acquire, manage, and dispose of various federal areas...”

What do they oversee?

Territories: Guam, Puerto Rico, Virgin Islands

Naval Bases: Guantanamo Bay, etc.

National Parks, Federal prisons, Embassies



Expressed Powers of Congress

How do they acquire territory?

Purchase or gift: Louisiana Purchase



Eminent Domain: taking private property for public use (in exchange for fair market value of the property)

War: from another country in a treaty



Expressed Powers of Congress

Judicial Powers:

- 1) Create all courts below the Supreme Court
- 2) Define Federal crimes and punishments
- 3) Impeachment and removal of gov't officials



Expressed Powers of Congress

Foreign relations-

suggest foreign policy, approve treaties



War Powers-

declare war, raise and maintain an army and navy, call up militias (Nat'l Guard), restrict non-war use of troops



Implied Powers of Congress

The Elastic Clause-

“Congress can do what is necessary and proper for the welfare of the nation.”

Congress has to relate their actions to one of the expressed powers.

Ex: Setting a minimum wage, comes from the power to regulate commerce.

Ex: Establishing a military draft, comes from the power to raise and maintain an army.

Inherent Powers of Congress

These are powers than sovereign nations normally have.

Ex: Regulating immigration

Ex: Protecting the borders



Non-Legislative Powers of Congress

1. Electoral Powers

a. Presidential Elections- If no candidate has a majority of the Electoral Vote, the House elects the President and the Senate elects the VP

b. 25th Amendment- if a vacancy exists in the VP, the Congress will approve the new nomination.



Non-Legislative Powers of Congress

2. Constitutional Amendments-

- Congress proposes changes to the Constitution with a 2/3 vote in both Houses.



Non-Legislative Powers of Congress

3. Impeachment process-

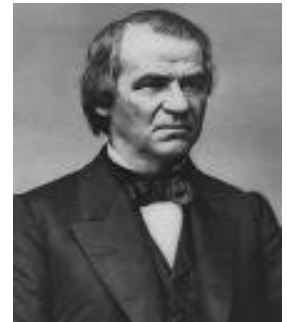
removing the President, VP, and all civil officers of the Fed. Gov't

Impeach = bring charges against

(done by the House of Reps w/ maj. Vote)

Conviction = innocence or guilt

(done by the Senate w/ 2/3rd vote)



Non-Legislative Powers of Congress

4. Executive Powers of the Senate-

- a. Approve Presidential appointments- majority vote
- b. Approve Treaties- 2/3rd vote

5. Investigations-

- a. Gather info for making laws
- b. Review effectiveness of laws
- c. Find if programs are being run properly



One of numerous Senate Investigations