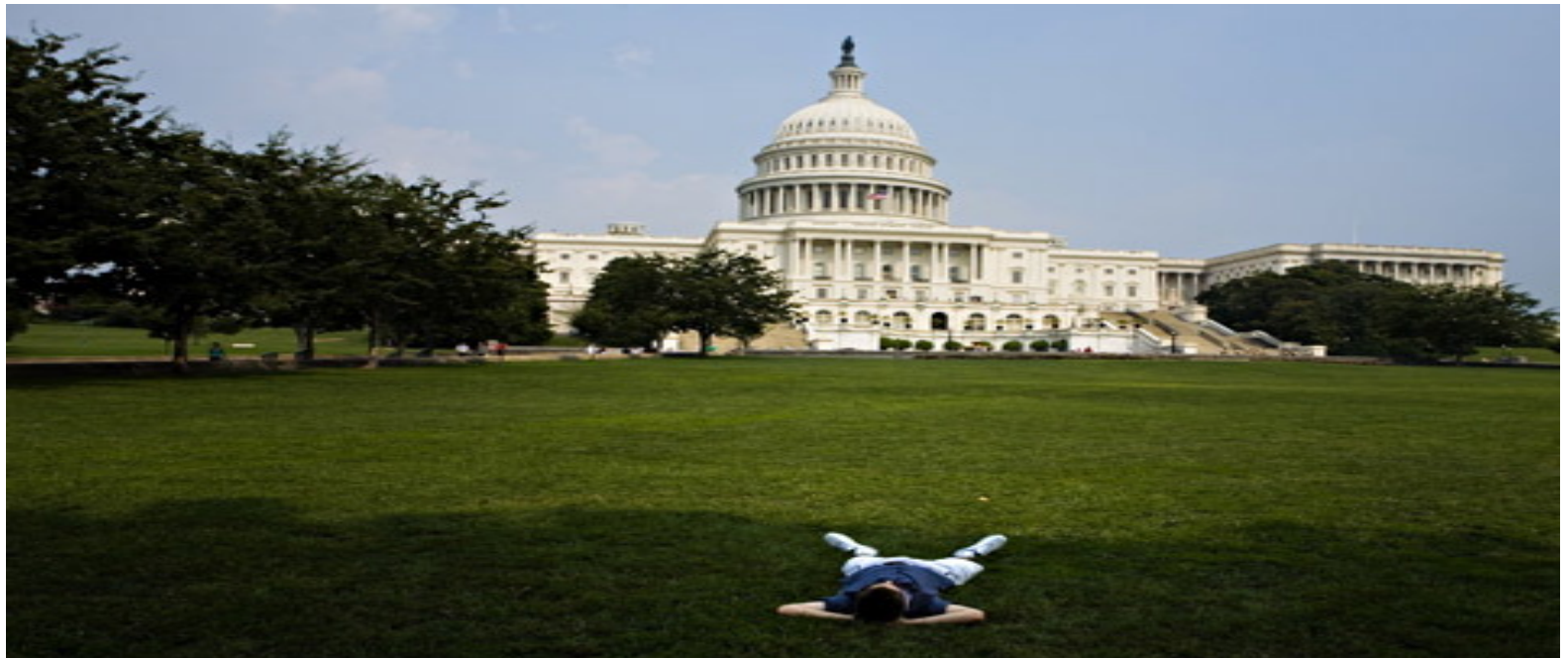


# Powers of Congress

Expressed, Implied, and Non-Legislative



# What are the basic powers of Congress?

- ◆ Under the Constitution, Congress has three (3) sets of powers:
  - Expressed Powers: Powers specifically written out in the Constitution (Article I)
  - Implied Powers: Powers that are “suggested” in the Constitution
  - Non-Legislative Powers: Things Congress does to help the country run smoother



# Expressed Powers of Congress

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

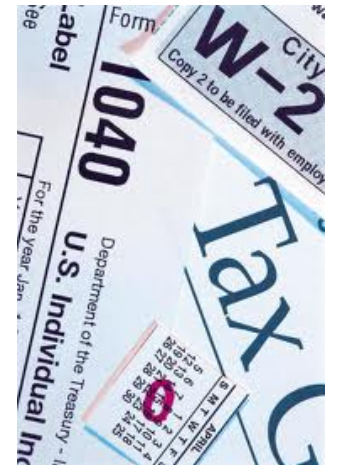


**What does it mean to tax?**

Taking public money 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

What types of taxes are out there?

## 1. Tariffs- taxes levied against imported goods

To encourage the buying of American made products over foreign product



# Expressed Powers of Congress

What types of taxes are out there?

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



# 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





# 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)



# 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 the worth of paper money

In the past, they backed the bills with precious metals (silver, gold, etc.), 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

## Whose debt is it?

It is owned by the Federal government., but private citizens can buy some of the debt

Other countries can also buy debt (credit)

## Why can't we just print more money?

Inflation: more supply lessens the value



# 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

*“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

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

Congress sets up post offices (over 39,000 today)

Establishes mail routes (including airways, railroads, and waterways)



# Expressed Powers of Congress

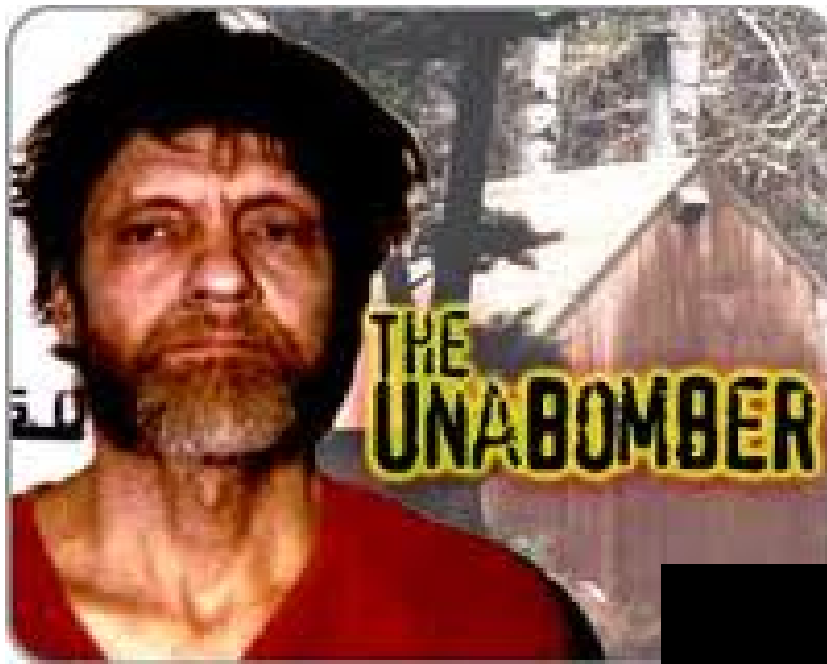
They also determine what can be legally carried in the mail and crimes related to the mail.

*\*All mail crimes are federal crimes*

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



# The Unabomber



# Anthrax Attacks of 2001





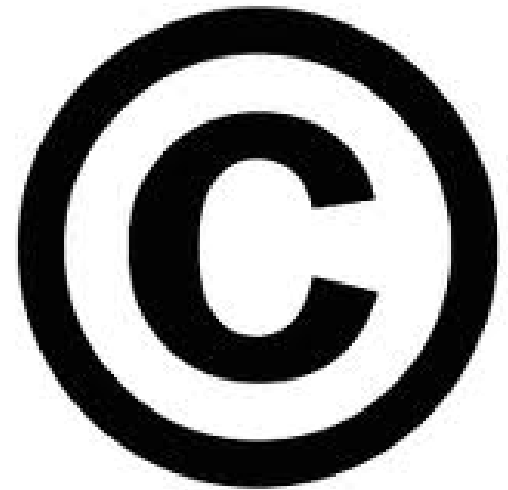
# Expressed Powers of Congress

*“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.

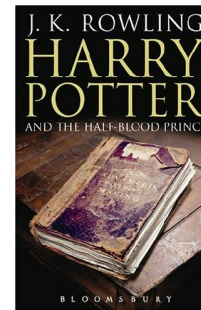
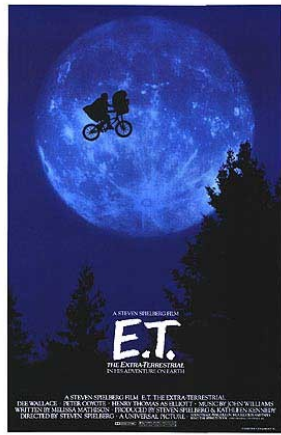
**Length:** 20 years

**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 a 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

## Judicial Powers:

- 1) Create all courts below the Supreme Court
- 2) Define Federal crimes and punishments
- 3) Impeachment and removal of government officials



**IMPEACH**

# 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

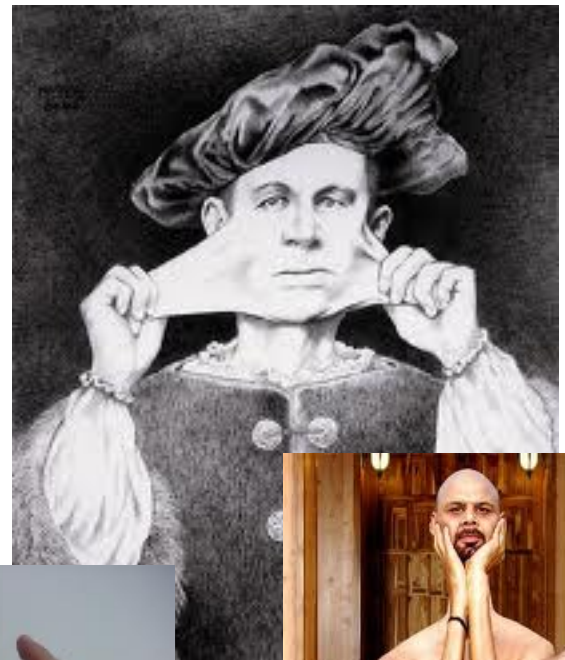


# Implied Powers of Congress

## 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.



# Creating a National Bank



# Minimum Wage





# Military Draft



# 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. 25<sup>th</sup> 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-

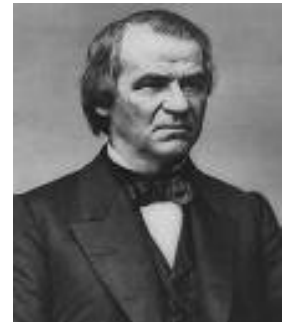
Removing the President, VP, and all civil officers of the Fed. Gov't

**Impeach** = bring charges against

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

**Conviction** = innocence or guilt

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



# Non-Legislative Powers of Congress

## 4. Executive Powers of the Senate-

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