Legislative Branch

Chapter 6: Congressional Powers

1. **Constitutional Powers**
2. Constitutional Provisions
3. The Constitution grants Congress a number of specific powers in three different ways:
4. The **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** are granted to Congress explicitly in the Constitution.
5. The **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** are granted by reasonable deduction from the expressed powers.
6. The **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** are granted through the Constitution’s creation of a National Government for the United States.
7. Legislative Powers
8. A **tax** is a charge levied by government on persons or property to meet public needs.
9. The Constitution places four limits on Congress’s power to tax:
	1. **\_\_\_\_\_\_\_\_\_\_\_** may tax only for public purposes, not for private benefit.
	2. Congress may not tax \_\_\_\_\_\_\_\_\_\_.
	3. Direct taxes must be apportioned among the **\_\_\_\_\_\_\_**, according to their populations
	4. **\_\_\_\_\_\_\_\_\_** taxes must be levied at a uniform rate in all parts of the country
10. Borrowing Money
11. Article I, Section **\_\_**, Clause 2 gives Congress the power “[t]o borrow Money on the credit of the United States.”
12. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** is the practice of spending more money than received in revenue and borrowing to make up the difference.
13. The **\_\_\_\_\_\_\_\_\_\_\_\_** is all of the money borrowed by the government over the years and not yet repaid, plus the accumulated interest on that money.
14. Currency Power
15. Article I, Section 8, Clause 5 gives Congress the power “[t]o coin Money [and] regulate the value thereof.”
16. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is any kind of money that a creditor must by law accept in payment for debts.
17. The Bankruptcy Power
18. Article I, Section 8, Clause 4 gives Congress the power “[t]o establish…uniform Laws on the subject of Bankruptcies throughout the United States.”
19. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** is the legal proceeding in which the bankrupt person’s assets are distributed among those to whom a debt is owed.
20. Commerce Power
21. The **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**—the power of Congress to regulate interstate and foreign trade—is granted in the Commerce Clause of the Constitution.
22. The Constitution places four limits on Congress’s use of the commerce power:
	1. Congress cannot tax exports.
	2. Congress cannot favor the ports of one State over those of any other in the regulation of trade.
	3. Congress cannot require that “Vessels bound to, or from, one State, be obliged to enter, clear or pay Duties in another.”
	4. Congress could not interfere with the slave trade (through 1808).
23. Foreign Policy Power
24. Congress has the **\_\_\_\_\_\_\_\_\_\_** power to act on matters affecting the **\_\_\_\_\_\_\_\_\_\_\_** of the nation.
25. Congress’s war **\_\_\_\_\_\_\_\_** are extensive and substantial, including: the power to raise and support armies, to provide and maintain a navy, and to organize, arm, and discipline the military.
26. Congress also has the power to **\_\_\_\_\_\_\_\_\_\_\_** the use of American forces in combat in areas where a state of war does not exist (War Powers Resolution of 1973).
27. Other Legislative Powers
28. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** is the process by which citizens of one country become citizens of another.
29. Article I, Section 8, Clause 7 says that Congress has the power “[t]o establish Post Offices and post Roads.”
30. A **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** is the exclusive right of an author to reproduce, publish, and sell his or her creative work.
31. A **\_\_\_\_\_\_\_\_** grants a person the sole right to manufacture, use, or sell “any new and useful art, machine, manufacture, or composition of matter.”
32. Non legislative Powers
	* 1. Constitutional Amendments
	1. Article V gives Congress the power to propose amendments by a two-thirds vote in each house.
		1. Electoral Duties
33. In certain circumstances, the Constitution gives Congress special electoral duties.
34. If no candidate for President receives a majority in the electoral college, the House decides the election.
35. If no candidate for Vice President receives a majority in the electoral college, the Senate decides the election.
36. Also, if the vice presidency is vacated, the President selects a **\_\_\_\_\_\_\_\_\_\_\_\_\_**, who faces congressional approval by a majority vote in both houses.
37. Non legislative Powers: Impeachment Power
38. The Constitution grants Congress the power of removing the President, Vice President, or other civil officers from their office through impeachment.
39. The House has the sole power to **\_\_\_\_\_\_\_\_**, or bring charges against the individual.
40. There is then a trial in the Senate. A two-thirds vote of the senator’s present is needed for conviction.
41. The penalty for conviction is removal from office.
42. **Investigations and Oversight**
43. Investigatory Power
44. Congress may choose to conduct investigations through its standing committees for several reasons:
	1. to gather **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** useful to Congress in the making of some legislation
	2. to oversee the **\_\_\_\_\_\_\_\_\_\_\_\_\_** of various executive branch agencies
	3. to focus **\_\_\_\_\_\_\_\_** attention on a particular subject
	4. to expose the questionable activities of public **\_\_\_\_\_\_\_\_\_** or private persons
	5. to **\_\_\_\_\_\_\_\_\_\_\_** the particular interests of some members of Congress.
45. The Power of Oversight
	* + 1. Checks and Balances
46. **\_\_\_\_\_\_\_\_\_\_\_\_\_** can check how the executive branch has administered the law and decide whether it met the law’s goal
47. Even though they have broad **\_\_\_\_\_\_\_\_\_\_\_** they use them inconsistently
48. Reasons why oversight fails:
49. Not enough staff
50. Oversight does not interest many voters, unless a scandal is uncovered or major problem
51. Some regulations are so vague that it is difficult to know what they mean
52. Committees sometimes come to favor the federal agencies they are supposed to oversee
	* + 1. How Congress Limits the Executive
53. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
54. All major appointments made by the President must be confirmed by the Senate by majority vote.
55. Only 12 of 600 Cabinet appointments to date have been declined.
56. “Senatorial courtesy” is the practice in which the Senate will turn down an appointment if it is opposed by a senator of the President’s party from the State involved.
57. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
58. The President makes treaties “by and with the Advice and Consent of the Senate,... provided two thirds of the Senators present concur.”
59. Presently, the President often consults members of the Senate Foreign Relations Committee
60. **Congress and the President**
61. Sources of Tension
62. Checks and Balances
63. Under the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, the President shares his most important duties with Congress
64. All bill Congress passes require the **\_\_\_\_\_\_\_\_\_\_\_\_\_** cooperation
65. The system of checks and balances gives Congress and the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** several tools to counteract each other
66. Party Politics
67. Most elected officials are loyal to their **\_\_\_\_\_\_\_\_\_\_\_** party and philosophies
68. Partisan politics can affect relations between the **\_\_\_\_\_\_\_\_\_\_** and congress
69. This issue is **\_\_\_\_\_\_\_\_\_\_** if one party controls the White House and the other controls the House and Senate, this divides the government
70. The Balance of Power
71. Emergency Powers
72. In times of crisis Congress has given **\_\_\_\_\_\_** power to the Presidents
73. Presidents have declared martial law, seized property, and **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** transportation and communications
74. Balancing Budget Powers
75. Presidents have assumed more **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** for planning the national budget
76. Congress merely reacts to budget **\_\_\_\_\_\_\_\_\_\_\_**, but they increased their role to ensure that the President was spending the funds on **\_\_\_\_\_\_\_\_\_\_\_\_** they have approved
77. Legislative and Line-Item Vetoes
78. Congress wields legislative **\_\_\_\_\_\_** to invalidate actions by the executive branch
79. Budgets must go through **\_\_\_\_\_\_\_\_\_\_\_\_** giving them a veto ability on the budget
80. **\_\_\_\_\_\_\_\_\_\_\_\_** veto is a power that many state governments have, but in the federal government vetoing only part of a bill

