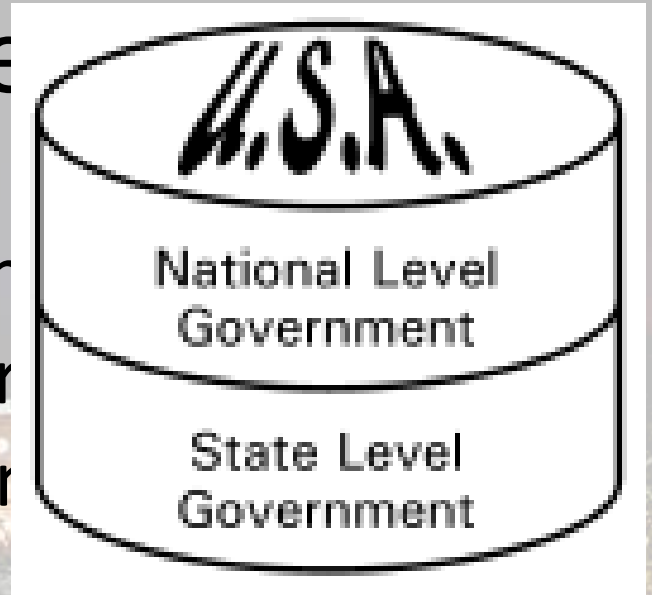


The image shows the United States Capitol building at night, illuminated with warm lights. The building's iconic dome is the central focus, with its reflection clearly visible in the water in the foreground. The surrounding area is dark, with some trees and lights visible in the background. The text is overlaid on the image in a large, black, sans-serif font.

# The Powers of Congress: Expressed, Implied, or Denied

# Divided Power

- The Constitution clearly outlines powers that are held by the national government and powers that are given to the states, and the two levels share
- This arrangement is called federalism → the division of government powers between a central government and subdivisational governments (states, cities, counties, etc.)



# Delegated (Enumerated) Powers

- Delegated Powers → powers given by the Constitution to the federal gov't only (*lightly shade the “Delegated Powers” box blue*)
  - Print money
  - Regulate interstate and international trade
  - Make treaties and conduct foreign policy
  - Declare war
  - Provide an army and a navy
  - Establish post offices

# Reserved Powers

- Reserved Powers → powers given by the Constitution to the state gov'ts only (*lightly shade the “Reserved Powers” box yellow*)
  - Issue licenses
  - Regulate intrastate (w/in the state) businesses
  - Conduct elections
  - Establish local gov'ts
  - Ratify constitutional amendments
  - Take measures for public health & safety
  - Use powers not given to the federal gov't and not prohibited by the Constitution

# Concurrent (Shared) Powers

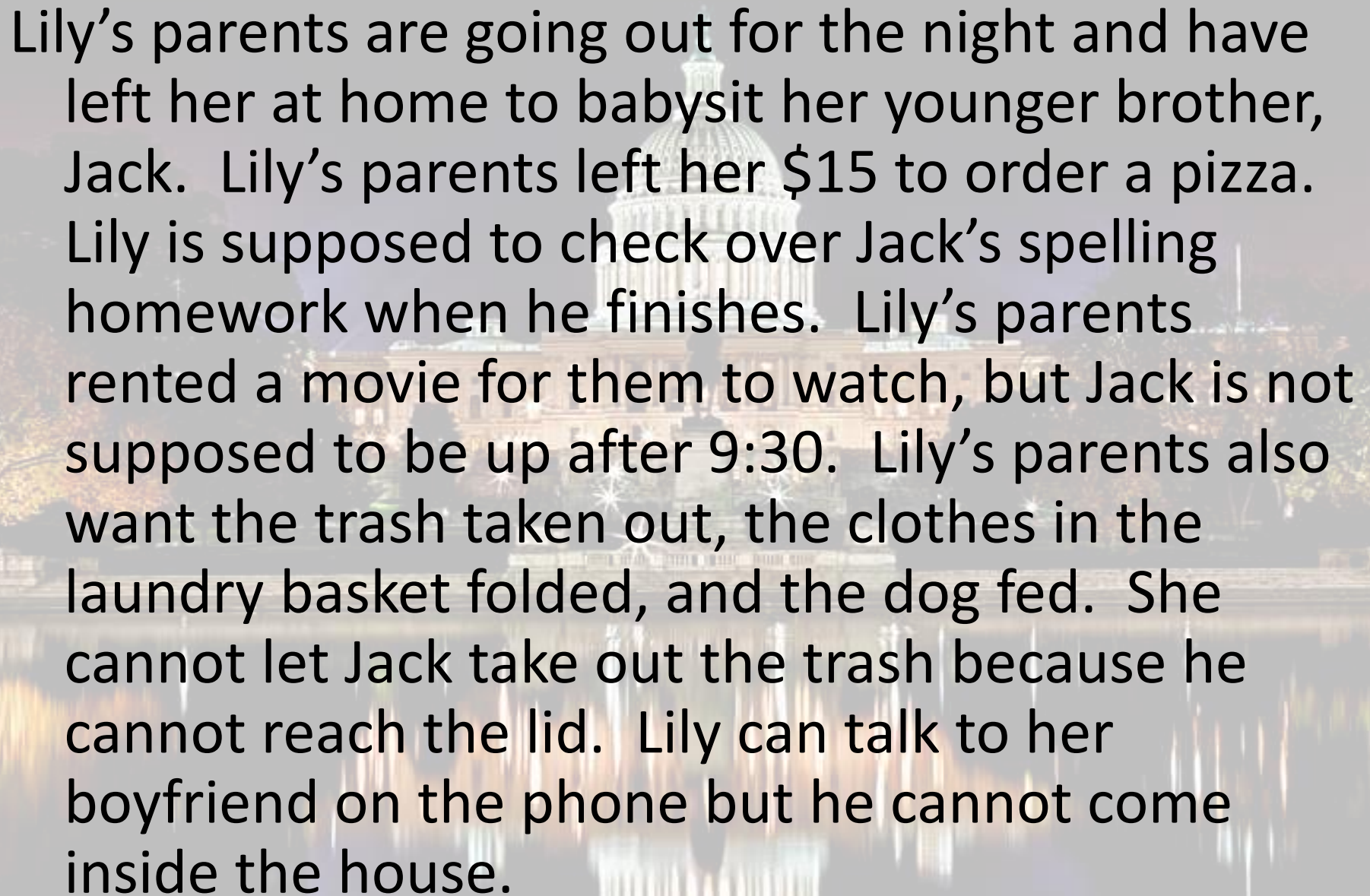
- Concurrent Powers → powers given by the Constitution to both the federal and state gov'ts (*lightly* shade the “Reserved Powers” box green)
  - Collect taxes
  - Borrow and spend money
  - Build roads
  - Make and enforce laws

# Denied Powers

- Denied Powers → actions the gov't may not use (*lightly* shade the “Reserved Powers” box red)
  - Suspend *writ of habeas corpus* → telling an arrested person what they are charged with
  - Bills of attainder → punishment w/out a trial
  - *Ex post facto* → law making an act a crime after the act is committed
  - Titles of nobility

# Expressed, Implied, or Denied?

- Read the following story.
- Using a three column page, list the
  - Expressed powers – those powers *specifically* given to Lily in the story
  - Implied powers – those powers you can *assume* Lily has
  - Denied powers – those powers Lily is forbidden to use.



Lily's parents are going out for the night and have left her at home to babysit her younger brother, Jack. Lily's parents left her \$15 to order a pizza. Lily is supposed to check over Jack's spelling homework when he finishes. Lily's parents rented a movie for them to watch, but Jack is not supposed to be up after 9:30. Lily's parents also want the trash taken out, the clothes in the laundry basket folded, and the dog fed. She cannot let Jack take out the trash because he cannot reach the lid. Lily can talk to her boyfriend on the phone but he cannot come inside the house.



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# What are some implied powers?

- Look at the expressed powers listed. What are some things that are implied...
  - Lily can order a pizza, but her parents don't say from where or what kind. It is implied they can choose a pizza place and the toppings.
  - Lily is supposed to check Jack's spelling homework, and it is implied she will correct any mistakes.
  - Lily and Jack have a movie to watch, but it is implied that they can choose when to watch it.
  - Lily's parents want the chores completed, but it is implied that Lily can get Jack to help her...except for taking out the trash.
  - Lily can talk on the phone to her boyfriend, so it is implied that she is allowed to use the phone to call other people.

# Implied Powers of Congress



- Established in the Necessary & Proper Clause  
→ Elastic Clause
- The notion that Congress' Expressed Powers can be stretched in order to carry out its duties
- What examples can we identify?