

THE LEGISLATIVE BRANCH**Powers of Congress**

(See Article I, Section 8)

The Constitution gives the Congress (the House and the Senate) certain specific powers. Among those listed in Section 8 are the powers to tax, borrow money, regulate commerce (trade), and naturalization (the process by which one can become a United States citizen). Also included are the powers to coin money, establish a system of weights and measurements, establish a post office, declare war, and provide a military. These are many of the important powers specifically granted to the Congress.

Article 1, Section 8, Clause 18 is very important to the Congress. It is known as the "elastic clause." The elastic clause gives Congress the power "to make all laws which shall be necessary and proper" to carry out its responsibilities.

The powers given to Congress can be broken down into three areas: *enumerated powers*, *implied powers*, and *inherent powers*.

Enumerated powers are powers specifically given to the Congress by the Constitution. They are written. An example would be the power to declare war.

Implied powers are powers given to the Congress that are general. They are stated, but not enough information is given in the Constitution about details. An example would be: the Constitution in Article 1, Section 8, Clause 7 states, "To establish post offices and post roads." Obviously, more is needed to run the post office than just roads; there are the mail carriers, security, and buildings. The Constitution assumes that the Congress will take care of these matters, too.

Inherent powers are unlisted powers that a government must have simply because it exists as a government and needs to run its affairs smoothly. The best example of this is the need to conduct foreign affairs. The Constitution does not discuss foreign affairs, but because the United States is a country, we must deal with foreign countries diplomatically.



Congress is responsible for maintaining the military forces in the United States.

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≈ Challenges ≈

1. List and describe four powers given to the Congress by Article I, Section 8:

a) _____

b) _____

c) _____

d) _____

2. What is the "elastic clause"? _____

3. Define enumerated powers and give an example. _____

4. Define implied powers and give an example. _____

5. Define inherent powers and give an example. _____
