

Chapter 11: Powers of Congress

Section 1: The Scope of Congressional Powers

Key Terms: expressed power, implied powers, inherent powers, strict constructionist, liberal constructionist, consensus

A. Congressional Power

1. Congress has only those powers delegated to it and not specifically denied to it by the Constitution.

The Constitution has given Congress expressed, implied, and inherent powers.

- Expressed:** Powers specifically mentioned in the Constitution
2.
 - Implied:** Powers not specifically mentioned in the Constitution, but may reasonably deduced from those that are.
 - Inherent:** Powers that are possessed by all national governments

B. Strict Versus Liberal Construction

1. **Strict constructionists** (led by Thomas Jefferson) believed Congress should exercise only its expressed powers and those implied powers absolutely necessary to carry out those expressed powers. The value of government most valued was State government.
2. **Liberal constructionists** believe that the Constitution must be interpreted broadly, with an eye toward change.
 - a. That belief has extended the powers of the Federal Government far beyond the plans of the original Framers of the Constitution.
 - b. Liberal constructionists prevailed largely because wars and economic crises called for national action. The consensus of the American public is that government should have the power to solve national problems.

Chapter 11: Powers of Congress

Section 2: Expressed Powers of Money & Commerce

Key Terms: tax, direct tax, indirect tax, deficit financing, public debt, commerce power, legal tender, bankruptcy

A. The Power to Tax

1. The Purpose of Taxes
 - 90% of all the money needed to run the government comes from taxes.
 - A **tax** is a charge levied by the government on persons or property to meet public needs.
 - Congress may also impose taxes to protect American business (tariffs), and to protect the public health and safety. A license or fee is also a type of tax.
2. Limits on the Taxing Power
 - The Constitution places 4 explicit limits on the power to tax:
 - Congress may tax only for public purposes

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Tao Wei



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Table of Contents Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers

1. Understanding the eBook Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
 - The Rise of Digital Reading Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
 - Advantages of eBooks Over Traditional Books
2. Identifying Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
 - User-Friendly Interface
4. Exploring eBook Recommendations from Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
 - Personalized Recommendations
 - Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers User Reviews and Ratings
 - Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers and Bestseller Lists
5. Accessing Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers Free and Paid eBooks
 - Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers Public Domain eBooks
 - Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers eBook Subscription Services
 - Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers Budget-Friendly Options
6. Navigating Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers eBook Formats
 - ePub, PDF, MOBI, and More
 - Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers Compatibility with Devices
 - Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
 - Highlighting and Note-Taking Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
 - Interactive Elements Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers

8. Staying Engaged with Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
9. Balancing eBooks and Physical Books Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
 - Setting Reading Goals Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
 - Fact-Checking eBook Content of Chapter 11 Section 1 The Scope Of Congressional Powers Quiz Answers
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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