

The Scope of Congressional Powers

- What are the three types of congressional power?
- How does strict construction of the U.S. Constitution on the subject of congressional power compare to liberal construction?



Chapter 1section The Scope Of Congressional Powers

Guided Reading Answers

Marcus E. Rasmussen



Chapter 1 section The Scope Of Congressional Powers Guided Reading Answers:

Bulletin of the Atomic Scientists, 1985-08 **Powers of Congress** Congressional Quarterly, inc, 1976 Explains the constitutional origins evolution and current status of congressional powers in areas including fiscal policy commerce foreign affairs and confirmation of nominations Bibliography *Congressional Powers* Marcus E. Rasmussen, 2020-04-04 Congress's contempt power is the means by which Congress responds to certain acts that in its view obstruct the legislative process Chapter 1 examines the source of the contempt power reviews the historical development of the early case law outlines the statutory and common law basis for Congress's contempt power and analyses the procedures associated with inherent contempt criminal contempt and the civil enforcement of subpoenas It also includes a detailed discussion of two recent information access disputes that led to the approval of contempt citations in the House against then White House Chief of Staff Joshua Bolten and former White House Counsel Harriet Miers as well as Attorney General Eric Holder Congress gathers much of the information necessary to oversee the implementation of existing laws or to evaluate whether new laws are necessary from the executive branch While executive branch officials comply with most congressional requests for information there are times when the executive branch chooses to resist disclosure When Congress finds an inquiry blocked by the withholding of information by the executive branch or where the traditional process of negotiation and accommodation is inappropriate or unavailing a subpoena either for testimony or documents may be used to compel compliance with congressional demands as reported in chapter 2 As reported in chapter 3 the Committee on the Judiciary the Committee is currently engaged in an investigation into alleged obstruction of justice public corruption and other abuses of power by President Donald Trump his associates and members of his Administration Few provisions in the U S Constitution grant the President an authority as free from legislative constraint as the Pardon Clause While the pardon power has been wielded in numerous instances throughout American history there is limited case law interpreting it This lack of judicial guidance has begot various unsettled legal questions concerning the pardon power's scope and breadth For instance whether the President may issue a self pardon has been the subject of conflicting views and debate as discussed in chapter 4 Chapter 5 examines the broad constitutional authority of Congress to establish and shape the federal bureaucracy Congress may use its Article I law making powers to create federal agencies and individual offices within those agencies design agencies basic structures and operations and prescribe subject to certain constitutional limitations how those holding agency offices are appointed and removed Congress also may enumerate the powers duties and functions to be exercised by agencies as well as directly counteract through later legislation certain agency actions implementing delegated authority The Trump Administration has recently questioned the legal validity of numerous investigative demands made by House committees These objections have been based on various grounds but two specific arguments will be addressed in chapter 6 First the President and other Administration officials have contended that certain committee demands lack a valid legislative purpose

and therefore do not fall within Congress's investigative authority. Second, the President has made a more generalized claim that his advisers cannot be made to testify before Congress even in the face of a committee subpoena. House Democrats have introduced a resolution that if approved by the House would formally censure and condemn President Trump for disparaging comments on immigration issues he allegedly made during a meeting with Members of Congress. Chapter 7 will discuss examples of congressional censure of the President before addressing its constitutional validity. Under the U.S. Constitution, the House of Representatives has the power to formally charge a federal officer with wrongdoing, a process known as impeachment. The House impeachment process generally proceeds in three phases: 1. initiation of the impeachment process; 2. Judiciary Committee investigation, hearings, and markup of articles of impeachment; and 3. full House consideration of the articles of impeachment. Chapter 8 provides an overview of the procedures and should not be treated or cited as an authority on congressional proceedings.

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Table of Contents Chapter 1section The Scope Of Congressional Powers Guided Reading Answers

1. Understanding the eBook Chapter 1section The Scope Of Congressional Powers Guided Reading Answers
 - The Rise of Digital Reading Chapter 1section The Scope Of Congressional Powers Guided Reading Answers
 - Advantages of eBooks Over Traditional Books
2. Identifying Chapter 1section The Scope Of Congressional Powers Guided Reading 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 1section The Scope Of Congressional Powers Guided Reading Answers
 - User-Friendly Interface
4. Exploring eBook Recommendations from Chapter 1section The Scope Of Congressional Powers Guided Reading Answers

- Personalized Recommendations
 - Chapter 1section The Scope Of Congressional Powers Guided Reading Answers User Reviews and Ratings
 - Chapter 1section The Scope Of Congressional Powers Guided Reading Answers and Bestseller Lists
5. Accessing Chapter 1section The Scope Of Congressional Powers Guided Reading Answers Free and Paid eBooks
 - Chapter 1section The Scope Of Congressional Powers Guided Reading Answers Public Domain eBooks
 - Chapter 1section The Scope Of Congressional Powers Guided Reading Answers eBook Subscription Services
 - Chapter 1section The Scope Of Congressional Powers Guided Reading Answers Budget-Friendly Options
 6. Navigating Chapter 1section The Scope Of Congressional Powers Guided Reading Answers eBook Formats
 - ePub, PDF, MOBI, and More
 - Chapter 1section The Scope Of Congressional Powers Guided Reading Answers Compatibility with Devices
 - Chapter 1section The Scope Of Congressional Powers Guided Reading Answers Enhanced eBook Features
 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Chapter 1section The Scope Of Congressional Powers Guided Reading Answers
 - Highlighting and Note-Taking Chapter 1section The Scope Of Congressional Powers Guided Reading Answers
 - Interactive Elements Chapter 1section The Scope Of Congressional Powers Guided Reading Answers
 8. Staying Engaged with Chapter 1section The Scope Of Congressional Powers Guided Reading Answers
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Chapter 1section The Scope Of Congressional Powers Guided Reading Answers
 9. Balancing eBooks and Physical Books Chapter 1section The Scope Of Congressional Powers Guided Reading Answers
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Chapter 1section The Scope Of Congressional Powers Guided Reading Answers
 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
 11. Cultivating a Reading Routine Chapter 1section The Scope Of Congressional Powers Guided Reading Answers
 - Setting Reading Goals Chapter 1section The Scope Of Congressional Powers Guided Reading Answers

- Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Chapter 1section The Scope Of Congressional Powers Guided Reading Answers
 - Fact-Checking eBook Content of Chapter 1section The Scope Of Congressional Powers Guided Reading 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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