**Expressed, Implied, and Inherent**

**Expressed Powers of Congress:**

* **“Congress shall have the power to tax…”**
* What does it mean to tax?
  + Taking public $ for government use.
* Why is it important?
  + Pays for many public services that serve and protect citizens. (Schools, Roads, Military, etc..)

**Types of taxes**

* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_-
  + taxes levied against imported goods
* What is the goal?
  + To encourage the buying of American made products, since foreign products will be more expensive.
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Taxes-
  + paid by the person they are levied against.
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Taxes-
  + paid by one person and passed on to another.
* ***“Congress has the power to borrow…”***
  + Borrowing involves:
    - using money to finance projects that are not in the budget.
  + There is no Constitutional ceiling on how much can be borrowed.
  + Borrowing leads to: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_!!

**Whose debt is it?**

* It is owned by the Federal gov’t., but private citizens can buy some of the debt in the form of savings bonds and government bonds.
* Currently, many outside nations owe money to the US that goes unpaid.
* Why can’t we just print more money?
  + Inflation: more supply lessens the value
* ***“Congress will establish a uniform Rule of Naturalization…”***
  + Naturalization:
    - Process of becoming a US citizen
  + **Natural born** = born in US territory or on US owned property, or to a US citizen.
  + **Naturalized** = citizenship gained from another country.

**The Basic Process:**

* Must live in the US for 5 years (half must be spent in US)
* Must be 18 years old
* Must speak basic English
* Must pass a basic civic’s exam
* Must pledge an oath of loyalty to the US
* (Can not have a criminal record)
* Expatriation: citizenship can be revoked only for naturalized citizens
* **“Congress has the power to establish Post Offices and post Roads…”**
  + Meaning they set up post offices (over 39,000 today) And establish routes (including airways, railroads, and waterways)
* ***“Congress shall promote the Progress of Science and useful Arts by securing…exclusive Right to their respective writings and Discoveries.”***
  + \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_-
    - Exclusive right to an author for the publication and resale of their work.
    - Length: Good for life plus 70 years
  + \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_-
    - Exclusive right to a person to manufacture, use, or sell any new invention.
    - Length: 20 years
  + Intellectual property covered:
    - Books, magazines, paintings, movies, design patents, photos, trademarks, trade secrets, etc..,
* ***“Congress has the power to acquire, manage, and dispose of various federal areas…”***
  + What do they oversee?
    - Territories: Guam, Puerto Rico, Virgin Islands
    - Naval Bases: Guantanamo Bay, etc.
    - National Parks, Federal prisons, Embassies
* How do they acquire territory?
  + Purchase or gift: Louisiana Purchase
  + Eminent Domain: taking private property for public use (in exchange for fair market value of the property)
  + War: from another country in a treaty
* **Judicial Powers:**

1. Create all courts below the Supreme Court
2. Define Federal crimes and punishments
3. Impeachment and removal of gov’t officials

* Foreign relations-
  + suggest foreign policy, approve treaties
* War Powers-
  + declare war, raise and maintain an army and navy, call up militias (Nat’l Guard), restrict non-war use of troops

**Implied Powers of Congress:**

* The Elastic Clause-
  + ***“Congress can do what is necessary and proper for the welfare of the nation.”***
  + Congress has to relate their actions to one of the expressed powers.
    - **Ex:** Setting a minimum wage, comes from the power to regulate commerce.
    - **Ex:** Establishing a military draft, comes from the power to raise and maintain an army.

**Non-Legislative Powers of Congress:**

* Constitutional Amendments-
  + Congress proposes changes to the Constitution with a 2/3 vote in both Houses.
* **Impeachment process-**
  + removing the President, VP, and all civil officers of the Fed. Gov’t

**Impeach** = bring charges against

* + - (done by the House of Reps w/ maj. Vote)

**Conviction** = innocence or guilt

* + - (done by the Senate w/ 2/3rd vote)
* **Executive Powers of the Senate-**
  + Approve Presidential appointments- majority vote
  + Approve Treaties- 2/3rd vote
* **Investigations-**

a. Gather info for making laws

b. Review effectiveness of laws

c. Find if programs are being run properly