

# PLSC 471: American Constitutional Law

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# Post-WW II Commerce Clause

NLRB → Lopez: Congress can regulate:

- ...the **channels** of interstate commerce (e.g., restraints on trade)
- ...the **instrumentalities** of interstate commerce (roads, railroads, etc.)
- ...activities having a **substantial relation** to interstate commerce

# Federal Regulation

		No	Yes
State Regulation	No	(Free Market)	Commerce Clause Doctrines
	Yes	"Selected Exclusiveness"/ "Dormant" Commerce Clause	Preemption