**ARTICLE I, SECTION 8: POWERS GIVEN TO CONGRESS**

The Constitution of the United States is the shortest and oldest constitution in the world. It has seven articles that describe the structure of the government and its powers. In addition, it describes how powers are separated and balanced between three distinct branches of government. Article I creates the legislative branch, called Congress, and divides it into two chambers (a bicameral legislature): The Senate and the House of Representatives. It describes the process by which a bill becomes a law, and Article I, Section 8 defines the different things that Congress can make laws about.

**Part A.** The section below contains the actual language of Article I, Section 8 on the left, and a simplified version of it on the right. Use the word bank to fill in each blank with the correct word. Each word will be used once.

**WORD BANK**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| citizens | copyright | help | rebellion | courts | borrow money |
| army | roads | ~~taxes~~ | organize | declare | land |
| measurement | weapons | ocean | support | trade | fake |

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| --- | --- |
| **LANGUAGE OF THE CONSTITUTION** | **SIMPLIFIED VERSION** |
| 1. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; | Congress can collect \_\_\_taxes\_\_\_\_ to pay debts and defend the USA but they must be the same for everyone. |
| 1. To borrow Money on the credit of the United States; | Congress can \_\_\_\_\_\_\_\_\_ . |
| 1. To regulate Commerce with foreign Nations, and among the several states, and with the Indian Tribes; | Congress can make rules about \_\_\_\_\_\_\_\_\_ with foreign countries, between the states, and with Native Americans. |
| 1. To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States; | Congress decides how people become \_\_\_\_\_\_\_\_\_ and how people can get their debts forgiven. |
| 1. To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures; | Congress decides how money will be printed and what it is worth; they also decide standard systems of \_\_\_\_\_\_\_\_\_ . |
| 1. To provide for the Punishment of counterfeiting the Securities and current Coin of the United States; | Congress decides how people are punished for making \_\_\_\_\_\_\_\_\_ money. |
| 1. To establish Post Offices and post Roads; | Congress makes post offices and creates \_\_\_\_\_\_\_\_\_ . |
| 1. To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries; | Congress decides how to protect people’s ideas through a patent or \_\_\_\_\_\_\_\_\_ system |
| 1. To constitute Tribunals inferior to the supreme Court; | They can make other federal \_\_\_\_\_\_\_\_\_ under the Supreme Court. |
| 1. To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations; | Congress defines and punishes crimes made on the \_\_\_\_\_\_\_\_\_ . |
| 1. To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water; | Congress has the power to \_\_\_\_\_\_\_\_\_ war. |
| 1. To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years; | Congress can organize armies and provide money to \_\_\_\_\_\_\_\_\_ them. |
| 1. To provide and maintain a Navy; | Congress can also \_\_\_\_\_\_\_\_\_ a navy. |
| 1. To make Rules for the Government and Regulation of the land and naval Forces; | Congress gets to make rules for the \_\_\_\_\_\_\_\_\_ and navy. |
| 1. To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions; | Congress can call the state militias (now called National Guard) to stop \_\_\_\_\_\_\_\_\_ and invasion. |
| 1. To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress; | Congress organizes and gives \_\_\_\_\_\_\_\_\_ to the militias but the states are in charge of choosing officers and to train them |
| 1. To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; | Congress gets to decide where the new national capital will be and makes laws for it; they can also buy \_\_\_\_\_\_\_\_\_ and use it as long as the state legislature agrees |
| 1. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof. | Congress gets to make any laws that make sense to \_\_\_\_\_\_\_\_\_ them use these powers |

**ARTICLE I, SECTION 9: POWERS DENIED TO CONGRESS**

**Part B.** Now do the same thing, except that the section below lists the different things that Congress CANNOT do. Use the word bank to fill in each blank with the correct word. Each word will be used once.

**WORD BANK**

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| --- | --- | --- | --- |
| bribes | slave trade | before | taxes |
| goods | budget | transported | imprison |

|  |  |
| --- | --- |
| **LANGUAGE OF THE CONSTITUTION** | **SIMPLIFIED VERSION** |
| 1. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person. | No law can be made limiting the \_\_\_\_\_\_\_\_\_ until 1808 but they can charge a tax on imported slaves (as long as it isn’t more than $10 per person) |
| 1. The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it. | A Writ of Habeas Corpus explains why a person has been arrested; Congress cannot make a law that allows law enforcement to \_\_\_\_\_\_\_\_\_ someone without a clear reason (unless public safety requires it) |
| 1. No Bill of Attainder or ex post facto Law shall be passed. | A Bill of Attainder is a law made by Congress declaring someone guilty of a crime. An ex post facto law is when Congress makes a law and then punishes people for breaking it \_\_\_\_\_\_\_\_\_ was passed. Congress can’t make either of these kinds of laws. |
| 1. No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or enumeration herein before directed to be taken. | No direct \_\_\_\_\_\_\_\_\_ . |
| 1. No Tax or Duty shall be laid on Articles exported from any State. | Congress cannot tax \_\_\_\_\_\_\_\_\_ being exported from any state |
| 1. No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another. | Congress cannot tax goods being \_\_\_\_\_\_\_\_\_ from one state to another |
| 1. No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time. | Congress must make a law to decide how money will be spent. They can’t just spend whenever they want, and they must publish a \_\_\_\_\_\_\_\_\_ . |
| 1. No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State. | Congress can’t give titles of Nobility: Lord, Lady, Duke, Duchess, Earl, etc. Anyone in government also can’t take \_\_\_\_\_\_\_\_\_ or anything of value from another country. |

**Part C.** Now that you know the powers of Congress, look at the following scenarios and determine whether they are constitutional or unconstitutional. Write “Constitutional” or “Unconstitutional,” and then briefly state why. Refer back to Article I, Sections 8 and 9 for evidence.

1) Congress passes a law declaring war against North Korea.

Constitutional because Article I, Section 8, Clause 11 says that Congress has the power to declare war.

2) Congress passes a law saying that a new recruit in the army should be paid $3,000 per month and has to follow certain rules in order to stay in the army.

3) Congress directs the President to send the U.S. Navy to the shores of North Korea and to invade Pyongyang, the capital of North Korea, within one week of declaring war.

4) Congress declares that recording artist Drake shall be given the title of Prince Drake.

5) A member of Congress is given a gift of $1 million dollars by the Kingdom of Saudi Arabia.

6) Congress has declared that the country will use the Imperial system of measurement. The state of Florida decides that it wants to adopt the metric system and changes all of its street signs from MPH (miles per hour) to KPH (kilometers per hour), even though no other states use this system.

7) The state of California does not like that Amazon has opened a new headquarters building in New York instead of in California. Therefore, it decides that it will impose a tax on anything shipped from New York into California to be paid by the manufacturer of those goods.

8) Congress passes a law imposing a tax on tomato farms just in the state of Florida.

9) Congress decides that it doesn’t like Justin Bieber very much, so it passes a law declaring him an enemy of the country and orders the FBI to put him in jail.