

Separation of Powers and Federalism

Federalism & Congressional Powers

I. The Constitution

- A. The Constitution is an act of the people. Therefore, it is supreme over the individual states' beliefs and desires, and their abilities to regulate.

II. Sources of Congressional Power

A. Article I, Sec. 8:

1. Necessary and Proper Clause

- a. Congress has the power "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 any Department or Officer thereof." – U.S. Const. Art. I, § 8, Cl. 18
- b. The Constitution is a list of enumerated powers, but it's impossible to enumerate everything, which is why we have the Necessary and Proper Clause.
- c. Not every Congressional power is enumerated in the Constitution → they can decide it is necessary and proper even if it's not in there
- d. This clause gives the *means* to bring about the *ends* enumerated in the Constitution.

2. Tax and Spend Clause

- a. "The Congress shall have the power to Lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States." – U.S. Const. Art. I, § 8, Cl. 1

3. Commerce Clause

Nailing The Bar Simple Constitutional Law Outline Law School Exam Guides Series

K Payea



Nailing The Bar Simple Constitutional Law Outline Law School Exam Guides Series:

This book delves into Nailing The Bar Simple Constitutional Law Outline Law School Exam Guides Series. Nailing The Bar Simple Constitutional Law Outline Law School Exam Guides Series is an essential topic that needs to be grasped by everyone, ranging from students and scholars to the general public. The book will furnish comprehensive and in-depth insights into Nailing The Bar Simple Constitutional Law Outline Law School Exam Guides Series, encompassing both the fundamentals and more intricate discussions.

1. The book is structured into several chapters, namely:
 - Chapter 1: Introduction to Nailing The Bar Simple Constitutional Law Outline Law School Exam Guides Series
 - Chapter 2: Essential Elements of Nailing The Bar Simple Constitutional Law Outline Law School Exam Guides Series
 - Chapter 3: Nailing The Bar Simple Constitutional Law Outline Law School Exam Guides Series in Everyday Life
 - Chapter 4: Nailing The Bar Simple Constitutional Law Outline Law School Exam Guides Series in Specific Contexts
 - Chapter 5: Conclusion
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 6. In chapter 5, this book will draw a conclusion about Nailing The Bar Simple Constitutional Law Outline Law School Exam Guides Series. The final chapter will summarize the key points that have been discussed throughout the book.
- This book is crafted in an easy-to-understand language and is complemented by engaging illustrations. This book is highly recommended for anyone seeking to gain a comprehensive understanding of Nailing The Bar Simple Constitutional Law Outline Law School Exam Guides Series.

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