Power at the Port

Trace how Congress could respond to a national crisis.

9-12.GOV.34 "Describe the powers of United States' Congress, including appropriations, declaration of war, commerce, implied powers, confirmations, necessary and proper clauses, and powers of impeachment and oversight."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline each action Congress could take in response to the port crisis. Circle the name of the power that allows each action.

A Port in Crisis

1. When a cyberattack stops cargo at a U.S. port, stores nationwide may wait for supplies. Congress can regulate commerce with foreign nations and among states, so it could set rules for data used to track interstate shipments. Congress also controls appropriations, the laws that provide money for federal work. It could fund port security equipment through an appropriations law. Funding equipment and setting shipping rules use different congressional powers, even when both respond to the same disruption.

2. Congress may also create a federal system for reporting attacks on interstate shipments. The Constitution does not list cyberattack reporting by name, but the Necessary and Proper Clause lets Congress make laws needed to carry out its listed powers. Such a reporting law could be an implied power tied to regulating commerce. If evidence showed that a foreign country had attacked the United States, Congress could consider a declaration of war. An attack on a port does not automatically mean war must be declared.

3. A president might nominate an agency leader to coordinate the response. The Senate could confirm or reject that nominee. Congressional committees could hold hearings and seek agency records to examine the government's handling of the crisis. That is oversight. If evidence suggested a federal officer committed a serious offense, the House could impeach, or formally charge, that officer. The Senate would hold a trial and could remove the officer only with a two-thirds vote to convict. Oversight alone does not remove anyone from office.

2 ANSWER WITH EVIDENCE

Use the passage

1. Which power could Congress use to set shipping-data rules? Which power could it use to fund port equipment?

2. Why could Congress require reports about attacks on interstate shipments even though the Constitution does not name cyberattack reporting?

3. If evidence points to an attack by a foreign country, what war-related decision belongs to Congress? Must Congress make that decision?

4. How would a Senate confirmation, committee oversight, and impeachment serve different purposes during the response?

3 YOUR TURN

Your own words

Contaminated medicine is being shipped across state lines, and a federal agency may have hidden test results. In three or four sentences, propose two different congressional responses, name the power behind each, and explain what each would accomplish.

ANSWER KEY

Power at the Port

HIGH SCHOOL · 9-12.GOV.34

PART 1 · READ AND MARK

Underline each action Congress could take in response to the port crisis. Circle the name of the power that allows each action. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Which power could Congress use to set shipping-data rules? Which power could it use to fund port equipment?	**Commerce supports rules for interstate shipping data. Appropriations provides funding for port equipment.**
2	Why could Congress require reports about attacks on interstate shipments even though the Constitution does not name cyberattack reporting?	**The Necessary and Proper Clause allows laws needed to carry out listed powers. A reporting requirement could be an implied power tied to Congress's commerce power.**
3	If evidence points to an attack by a foreign country, what war-related decision belongs to Congress? Must Congress make that decision?	**Congress could consider declaring war, but an attack does not require it to declare war.**
4	How would a Senate confirmation, committee oversight, and impeachment serve different purposes during the response?	**The Senate could approve or reject a nominee. A committee could examine officials' handling of the crisis. The House could formally charge a federal officer, after which the Senate could hold a trial.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

Congress could use its commerce power to require safety checks for medicine shipped across state lines, reducing the chance that contaminated products reach patients. A committee could use oversight to request the agency's test records and question officials about what they knew. These actions address the products and the agency's conduct separately.

Accept other plausible pairs of distinct congressional powers if each is correctly tied to an action and its purpose. Distinguish House impeachment from a Senate trial and possible removal.