

# Who Decides?

Trace how federalism divides power and fuels debate.

**12.G1e** "The powers not delegated specifically in the Constitution are reserved to the states. Though the powers and responsibilities of the federal government have expanded over time..."

NAME \_\_\_\_\_

DATE \_\_\_\_\_

## 1 READ AND MARK \_\_\_\_\_ Read it twice

**YOUR JOB** Underline federal powers or actions. Circle state powers or actions. Mark competing arguments about who should lead.

### A Moving Boundary

- ① The Constitution grants Congress powers such as taxation, national defense, and regulation of interstate commerce. It also permits appropriate means of carrying out granted powers; federal authority is not limited to actions named word for word. The Tenth Amendment reserves powers neither delegated to the United States nor prohibited to states to the states or the people. States retain broad roles in schools, professional licensing, and public safety, subject to constitutional and valid federal-law limits.
- ② Federal responsibilities expanded through legislation, spending, crises, and constitutional interpretation. New Deal programs addressed the Great Depression, and courts accepted broader uses of commerce authority. Federal grants later influenced transportation, education, health, and environmental programs. Funding conditions can encourage state action, but those conditions also face constitutional limits. Supporters favor national coordination for problems crossing borders and protection of rights. Critics worry about reduced state experimentation and local accountability.
- ③ During COVID-19, federal officials funded relief and supported vaccine distribution; states made many health and school-operation decisions. Supporters of national coordination emphasized disease crossing borders. Others stressed local differences. Policy preference and legal authority remain distinct: calling an action useful does not establish its constitutionality, while calling an issue local does not automatically exclude federal involvement. Debates concern both lawful powers and effective, accountable government.

**2 ANSWER WITH EVIDENCE** \_\_\_\_\_ Use the passage

**1** According to the passage, what does the Tenth Amendment reserve to the states or the people?

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**2** Name two congressional powers and two areas of state authority identified in the passage.

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**3** How can federal grants increase federal influence over state programs?

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**4** What is one argument for stronger national action and one argument for preserving more state authority?

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**3 YOUR TURN** \_\_\_\_\_ Your own words

A proposal seeks nationwide graduation requirements. In four sentences, give national and state-control arguments, recommend who should lead, and distinguish that preference from proof of constitutional authority.

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**PART 1 • READ AND MARK**

Underline federal powers or actions. Circle state powers or actions. Mark competing arguments about who should lead. Accept any marking that follows this job and points at the right text.

**PART 2 • ANSWERS**

| # | QUESTION                                                                                                | ANSWER                                                                                                                                                                                             |
|---|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | According to the passage, what does the Tenth Amendment reserve to the states or the people?            | <b>Powers not delegated to the United States and not prohibited to the states.</b>                                                                                                                 |
| 2 | Name two congressional powers and two areas of state authority identified in the passage.               | <b>Congress: taxation, national defense, or regulating interstate commerce. States: schools, professional licensing, or public safety.</b>                                                         |
| 3 | How can federal grants increase federal influence over state programs?                                  | <b>Funding conditions can encourage states to act in particular ways, though the conditions must satisfy constitutional limits.</b>                                                                |
| 4 | What is one argument for stronger national action and one argument for preserving more state authority? | <b>National action can address interstate problems and protect equal rights. State authority can preserve experimentation, local accountability, and responses suited to different conditions.</b> |

**PART 3 • YOUR TURN (SAMPLE ANSWER)**

National requirements might help students who move between states. States could argue that local conditions and experimentation matter. I favor state leadership with lawful federal support for shared goals. That preference does not settle constitutionality; any federal action still needs a valid basis and must respect legal limits.

Accept either policy preference when supported by the passage. Require both perspectives and recognition that a policy argument alone does not establish legal authority. Do not treat every unnamed federal action as necessarily reserved to states.