# Powers in Practice

How constitutional clauses support Congress's implied powers

**USG.C.3.4.B** "Describe how the "general welfare" clause and "necessary and proper" clause have empowered Congress with implied powers."

NAME _____ DATE _____

## 1 READ AND MARK

Read it twice

**YOUR JOB** Underline two actions the passage identifies as implied tools, then circle the named powers each action helps Congress carry out. Give each tool and its matching power the same number.

### Building Roads, Creating a Bank

1. The Constitution gives Congress a list of powers, including the powers to collect taxes, spend for the general welfare, and borrow money. It does not list every tool Congress may use to carry out those powers. An implied power is authority to choose a suitable tool for a power the Constitution does name. Two clauses matter here. The general welfare language in Article I, Section 8, lets Congress tax and spend for national needs. The necessary and proper clause lets Congress make laws that help carry out its listed powers. Neither clause gives Congress unlimited control over every local issue.

2. Consider the Interstate Highway System. In the 1950s, Congress authorized federal funding to help build highways that link states. Drivers, businesses, and emergency crews could use a connected network instead of disconnected roads. Congress could use its power to tax and spend for the general welfare to pay for a national project. It could also create rules for distributing the funds, an implied step that helps carry out its spending power under the necessary and proper clause. This does not mean Congress gained a general power to run every road. States still build and maintain many highways.

3. A different example reached the Supreme Court in 1819. In McCulloch v. Maryland, the Court upheld Congress's power to create a national bank, even though the Constitution does not expressly mention banks. A bank could help the federal government collect taxes, borrow money, and handle its funds. The Court reasoned that creating the bank was a suitable way to carry out powers the Constitution grants Congress. The necessary and proper clause supported this implied power. The general welfare language does not itself authorize any law Congress calls useful. Lawmakers must connect their chosen means to constitutional powers.

## 2 ANSWER WITH EVIDENCE

Use the passage

1. How does federal funding for interstate highways connect to the general welfare clause without giving Congress control over every road?

2. Why could Congress create rules for distributing highway funds even though the Constitution does not name that task?

3. How did the Supreme Court connect a national bank to powers the Constitution names?

4. A legislator says, "If a plan is useful, Congress can pass any law about it." How does the passage challenge that claim using both clauses?

## 3 YOUR TURN

Your own words

Suppose Congress wants to help communities prepare for floods by funding emergency shelters. In four or five sentences, explain how each clause could support a federal shelter grant program, name one step Congress could authorize to run it, and state one limit on congressional power.

ANSWER KEY

# Powers in Practice

HIGH SCHOOL · USG.C.3.4.B

## PART 1 · READ AND MARK

Underline two actions the passage identifies as implied tools, then circle the named powers each action helps Congress carry out. Give each tool and its matching power the same number. Accept any marking that follows this job and points at the right text.

## PART 2 · ANSWERS

| # | QUESTION | ANSWER |
|---|---|---|
| 1 | How does federal funding for interstate highways connect to the general welfare clause without giving Congress control over every road? | **Congress can tax and spend for a national highway network that serves the general welfare. That spending power does not give it general control over every road.** |
| 2 | Why could Congress create rules for distributing highway funds even though the Constitution does not name that task? | **Distributing funds helps Congress carry out its spending power, so the necessary and proper clause supports rules for doing it.** |
| 3 | How did the Supreme Court connect a national bank to powers the Constitution names? | **The bank was a suitable tool for collecting taxes, borrowing money, and handling federal funds. The necessary and proper clause supported creating it.** |
| 4 | A legislator says, "If a plan is useful, Congress can pass any law about it." How does the passage challenge that claim using both clauses? | **The general welfare language supports taxing and spending for national needs, not any law Congress considers useful. Under the necessary and proper clause, a law must help carry out a constitutional power.** |

## PART 3 · YOUR TURN (SAMPLE ANSWER)

Congress could use its power to tax and spend for the general welfare to fund emergency shelters in flood-prone communities. Under the necessary and proper clause, it could establish a federal office to distribute those grants because that step helps carry out the spending power. This office would be an implied tool rather than a power specifically named in the Constitution. Neither clause gives Congress unlimited power over every local decision about shelters.

Accept other suitable steps for administering shelter grants, such as setting application rules. Responses should connect the implied step to the spending power and avoid claiming either clause grants unlimited authority.