Who Decides?

Trace how federal and state powers shape a shared project.

USG.C.3.4 "Analyze the system of federalism as established by the Constitution of the United States of America. Define and identify the enumerated (expressed) powers found in Article I..."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline two enumerated powers, circle one reserved power and one concurrent power, then number the general welfare, necessary and proper, and Supremacy clauses 1, 2, and 3 as you find them.

A Bridge Between Governments

(1) Suppose a state plans a highway bridge that carries trucks across state lines. Federalism divides governing authority between the national government and states. Article I expressly gives Congress powers such as regulating interstate commerce, collecting taxes, and borrowing money. These are enumerated, or expressed, powers. Under the general welfare clause, Congress may spend tax revenue on grants that help states build roads. The clause supports national spending, not an unlimited power to make laws about any issue.

(2) The necessary and proper clause lets Congress make laws appropriate for carrying out its listed powers, creating implied powers. For example, Congress could require records from interstate trucking companies to enforce commerce rules. States retain powers not given to the national government or forbidden to states, including most decisions about local roads. Both levels can tax and create courts. The Framers allowed these concurrent powers so each level could fund services and enforce its own laws. Congress cannot tax exports.

(3) If a valid federal trucking law conflicts with a state rule, the Supremacy Clause in Article VI makes the Constitution, federal laws made under it, and treaties the supreme Law of the Land. The state rule must give way, but federal law does not erase every state power. Over time, cooperative federalism has linked federal grants with state work on shared projects. New federalism, or devolution, instead shifts more choices to states, sometimes through flexible block grants.

2 ANSWER WITH EVIDENCE

Use the passage

1. Which Article I power could support national rules for trucks crossing state lines? Explain the connection.

2. How do the general welfare and necessary and proper clauses support different federal actions in the passage?

3. Identify one reserved power, one concurrent power, and one power denied to Congress. Why did the Framers allow the concurrent power?

4. What happens if a state trucking rule conflicts with a valid federal trucking law? How would cooperative federalism and devolution differ in a bridge project?

3 YOUR TURN

Your own words

Invent a policy problem not mentioned in the passage. In four sentences, identify a state role and a federal role, explain a constitutional basis for the federal role, and contrast a cooperative approach with devolution.

ANSWER KEY

Who Decides?

HIGH SCHOOL · USG.C.3.4

PART 1 · READ AND MARK

Underline two enumerated powers, circle one reserved power and one concurrent power, then number the general welfare, necessary and proper, and Supremacy clauses 1, 2, and 3 as you find them. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Which Article I power could support national rules for trucks crossing state lines? Explain the connection.	**Congress can regulate interstate commerce. Trucks crossing state lines carry goods between states.**
2	How do the general welfare and necessary and proper clauses support different federal actions in the passage?	**The general welfare clause supports spending on road grants. The necessary and proper clause supports requiring trucking records to enforce interstate commerce rules.**
3	Identify one reserved power, one concurrent power, and one power denied to Congress. Why did the Framers allow the concurrent power?	**States make most decisions about local roads. Both levels can tax. Congress cannot tax exports. Shared taxing power lets each level fund its services.**
4	What happens if a state trucking rule conflicts with a valid federal trucking law? How would cooperative federalism and devolution differ in a bridge project?	**The state rule gives way under the Supremacy Clause. Cooperative federalism links federal grants with state work; devolution leaves more project choices to states.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

A coastal state could plan flood shelters while Congress helps pay for flood protection. Congress can use its power to tax and spend for the general welfare to offer grants. Under cooperative federalism, federal officials and the state could agree on standards for grant-funded shelters. Under devolution, a flexible block grant would leave more shelter decisions to the state.

Accept other accurate examples of reserved and concurrent powers from the passage. For the open task, accept a distinct policy problem with a valid constitutional basis for the federal role and a clear contrast between shared work and greater state discretion.